

MIAMI BEACH

City Commission Meeting SUPPLEMENTAL MATERIAL 3

City Hall, Commission Chambers, 3rd Floor, 1700 Convention Center Drive
October 14, 2015

Mayor Philip Levine
Vice-Mayor Edward L. Tobin
Commissioner Michael Grieco
Commissioner Joy Malakoff
Commissioner Micky Steinberg
Commissioner Deede Weithorn
Commissioner Jonah Wolfson

City Manager Jimmy L. Morales
City Attorney Raul J. Aguila
City Clerk Rafael E. Granado

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ATTENTION ALL LOBBYISTS

Chapter 2, Article VII, Division 3 of the City Code of Miami Beach entitled "Lobbyists" requires the registration of all lobbyists with the City Clerk prior to engaging in any lobbying activity with the City Commission, any City Board or Committee, or any personnel as defined in the subject Code sections. Copies of the City Code sections on lobbyists laws are available in the City Clerk's office. Questions regarding the provisions of the Ordinance should be directed to the Office of the City Attorney.

SUPPLEMENTAL AGENDA

C2 - Competitive Bid Reports

- C2G Request Approval To Award A Contract Pursuant To Invitation To Bid (ITB) 2016-002-KB For
The Painting And Striping Of Dedicated Bicycle Lanes.
(Procurement/Transportation)
(Memorandum)

R5 - Ordinances

R5N Amend Chapter 118 Land Development Regulations, Appendix A - Fee Schedule, And Chapter 14 Building Regulations

1. An Ordinance Amending The Land Development Regulations Of The Code Of The City Of Miami Beach, Florida; By Amending Chapter 114 Entitled "General Provisions," At Section 114-7; Chapter 118 Entitled "Administration And Review Procedures," Article I Entitled "In General", At Sections 118-3 And 118-6, Article III Entitled "Amendment Procedure", At Section 118-162, Article IV Entitled "Conditional Use Procedure," At Section 118-193 And 118-196, Article VI Entitled "Design Review Procedures," At Sections 118-253 And 118-255, Article VII Entitled "Division Of Land/Lot Split," At Section 118-321, Article VIII Entitled "Procedure For Variances And Administrative Appeals," At Sections 118-353 And 118-357, Article IX Entitled "Nonconformances," At Section 118-399, Article X Entitled "Historic Preservation," At Sections 118-562, 118-563, 118-564, And 118-591; Chapter 138, Entitled "Signs," At Sections 138-135 And 138-136; Chapter 142, Entitled "Zoning Districts And Regulations," At Section 142-108; And Further Amending Chapter 118, Entitled "Administration And Review Procedures," To Create Section 118-7 And 118-8; Updating And Consolidating The Sections Of The Land Development Regulations Requiring The Assessment Of Fees In Order To Improve Predictability, Transparency And Efficiency Of The Code; Providing For Repealer, Severability, Codification, And An Effective Date. **First Reading**
(Sponsored by Commissioner Joy Malakoff)
(Legislative Tracking: Planning/Building/Fire/Public Works)
2. An Ordinance Amending The Code Of The City Of Miami Beach, Florida, Amending Appendix A, "Fee Schedule" To Revise Building, Fire, Planning, And Public Works Fees Charged For Services Related To Land Development And Permitting; Providing For Repealer, Severability, Codification, And An Effective Date. **First Reading**
(Sponsored by Commissioner Joy Malakoff)
(Legislative Tracking: Planning/Building/Fire/Public Works)
3. An Ordinance Amending Chapter 14, "Building Regulations," Division 2, "Permit Fees," At Sections 14-61, 14-62, 14-66, 14-67, 14-68, 14-70, And 14-72; Chapter 15, "Zoning Review Fee Associated With The Building Permit Process," Article II, "Zoning Review Fees Associated With The Building Permit Process," At Sections 15-31, 15-32, 15-33, 15-34, 15-35, 15-36, And 15-37; Chapter 50, "Fire Prevention And Protection," At Sections 50-3, 50-4, 50-5, 50-6, 50-7, And 50-8; Chapter 66, "Marine Structures, Facilities And Vehicles," Article III, "Piers, Docks And Boat Ramps," At Section 66-114; Chapter 86, "Sales," Division 2, "Permit," At Section 86-56; Chapter 98, "Streets And Sidewalks," Article III, "Excavations," Division 2, "Permit," At Sections 98-93 And 98-94; Further Amending Chapter 50, "Fire Prevention And Protection," To Create Sections 50-9, 50-10, 50-11, 50-12, 50-13, 50-14, And 50-15; Chapter 98, "Streets And Sidewalks," Article III, "Excavations," Division 2, "Permit," To Create Sections 98-95, 98-96, 98-97, 98-98, 98-99, And 98-100; Updating And Consolidating The Sections Of The City Code Of Ordinances That Require The Assessment Of Fees For Permitting Services In Order To Improve Predictability, Transparency And Efficiency Of The Code; Providing For Repealer, Severability, Codification, And An Effective Date. **First Reading**
(Sponsored by Commissioner Joy Malakoff)
(Legislative Tracking: Planning/Building/Fire/Public Works)
(Memorandum & Ordinances)

R7 - Resolutions

R7D Authorizing Issuance By RDA Of Tax Increment Revenue Bonds In Amount Not-To-Exceed \$430 Million For Specified Public Improvements; Authorizing Issuance By City Of Resort Tax Bonds In Amount Not-To-Exceed \$240 Million For Miami Beach Convention Center Improvements; And Authorizing Issuance By City Of Parking Revenue Bonds In Amount Not-To-Exceed \$80 Million For Parking System Improvements.

1. A Resolution Authorizing The Issuance By The Miami Beach Redevelopment Agency Of Not To Exceed \$430,000,000 In Aggregate Principal Of Tax Increment Revenue Bonds (City Center/Historic Convention Village), In Accordance With The Requirements Of Chapter 163, Part III, Florida Statutes, As Amended; Authorizing Officers And Employees Of The City To Take All Necessary Actions In Connection Therewith; And Providing For An Effective Date.

2:00 p.m. Second Reading Public Hearing / Joint City Commission & Redevelopment Agency

(Finance)

(First Reading on September 30, 2015 - R7E1)

2. A Resolution Authorizing The Issuance Of Not To Exceed \$240,000,000 In Aggregate Principal Amount Of City Of Miami Beach, Florida Resort Tax Revenue Bonds, Series 2015 For The Purpose Of Financing Improvements To The Miami Beach Convention Center; Providing For The Issuance Of Additional Bonds On A Parity Therewith; Providing For The Security And Payment Of All Bonds Issued Pursuant To This Resolution; Providing Certain Details Of The Series 2015 Bonds; Delegating Certain Matters In Connection With The Issuance Of The Series 2015 Bonds To The City Manager, Including Whether The Series 2015 Bonds Shall Not Be Secured By The Debt Service Reserve Account And Whether To Secure A Credit Facility And/Or A Reserve Account Insurance Policy, Within The Limitations And Restrictions Stated Herein; Appointing Underwriters, Paying Agent, Registrar And Disclosure Dissemination Agent; Authorizing The Negotiated Sale Of The Series 2015 Bonds And Approving The Form And Authorizing Execution Of The Bond Purchase Agreement For The Series 2015 Bonds; Approving The Form Of Preliminary Official Statement For The Series 2015 Bonds And Authorizing Execution Of The Final Official Statement For The Series 2015 Bonds; Covenanting To Provide Continuing Disclosure In Connection With The Series 2015 Bonds And Approving The Form And Authorizing Execution Of A Continuing Disclosure Agreement; Authorizing Officers And Employees Of The City To Take All Necessary Actions In Connection With The Issuance Of The Series 2015 Bonds; And Providing For An Effective Date. **2:01 p.m. Second Reading Public Hearing**

(Finance)

(First Reading on September 30, 2015 - R7E2)

3. A Resolution Authorizing The Issuance Of Not To Exceed \$80,000,000 In Aggregate Principal Amount Of City Of Miami Beach, Florida Parking Revenue Bonds, Series 2015, For The Principal Purpose Of Paying The Cost Of Certain Improvements To The Parking System, Pursuant To Section 209 Of Resolution No. 2010-27491 Adopted By The City On September 20, 2010; Providing That Said Series 2015 Bonds And Interest Thereon Shall Be Payable Solely As Provided In Said Resolution No. 2010-27491 And This Resolution; Providing Certain Details Of The Series 2015 Bonds; Delegating Other Details And Matters In Connection With The Issuance Of The Series 2015 Bonds, Including Whether The Series 2015 Bonds Shall Not Be Secured By The Reserve Account And Whether To Secure A Credit Facility And/Or A Reserve Account Insurance Policy, To The City Manager, Within The Limitations And Restrictions Stated Herein; Appointing Underwriters, A Bond Registrar And A Disclosure Dissemination Agent; Authorizing The Negotiated Sale Of The Series 2015 Bonds And Approving The Form Of And Authorizing The Execution Of A Bond Purchase Agreement; Authorizing And Directing The Bond Registrar To Authenticate And Deliver The Series 2015 Bonds; Approving The Form Of And Distribution Of A Preliminary Official Statement And An Official Statement And Authorizing The Execution Of The Official Statement; Providing For The Application Of The Proceeds Of The Series 2015 Bonds And Creating Certain Funds, Accounts And Subaccounts; Authorizing A Book-Entry Registration System With Respect To The Series 2015 Bonds; Covenanting To Provide Continuing Disclosure In Connection With The Series 2015 Bonds And Approving The Form Of And Authorizing The Execution And Delivery Of A Continuing Disclosure Agreement; Authorizing Officers And Employees Of The City To Take All Necessary Related Actions; And Providing For An Effective Date. **2:02 p.m.**

Second Reading Public Hearing

(Finance)

(First Reading on September 30, 2015 - R7E3)

(Revised Exhibit B)

- R7H A Resolution Creating, Pursuant To Chapter 170, Florida Statutes, A Special Assessment District To Be Known As The Sunset Islands 3 & 4 Utility Improvement District, For A Term Of Ten (10) Years, To Fund The Placement Underground Of Utilities On Sunset Islands 3 & 4, At An Estimated Cost Of \$2,412,398; Providing For The Levy And Collection Of Special Assessments To Fund The Improvements; Providing The Manner In Which Such Special Assessments Shall Be Made; Providing When Such Special Assessments Shall Be Made; Designating The Lands Upon Which The Special Assessments Shall Be Levied; Providing For Publication Of This Resolution; And Authorizing Related Actions.

(Office of the City Attorney/Capital Improvement Projects)

(Memorandum & Resolution)

Redevelopment Agency

- 1A A Resolution Of The Chairperson And Members Of The Miami Beach Redevelopment Agency Authorizing The Issuance Of Not More Than \$430,000,000 In Aggregate Principal Amount Of Miami Beach Redevelopment Agency Tax Increment Revenue Bonds (City Center/Historic Convention Village) (The "Series 2015 Bonds"), For The Purpose Of Refunding The Agency's Outstanding Prior Bonds And Financing Certain Public Improvements; Providing For The Issuance Of Additional Bonds On A Parity Therewith; Providing For The Security And Payment Of All Bonds Issued Pursuant To This Resolution; Providing Certain Details Of The Series 2015 Bonds; Delegating Certain Matters In Connection With The Issuance Of The Series 2015 Bonds To The Executive Director Of The Agency, Including Whether To Secure A Credit Facility And/Or A Reserve Account Insurance Policy, Within The Limitations And Restrictions Stated Herein; Appointing Underwriters, Paying Agent, Registrar, Escrow Agent And Disclosure Dissemination Agent; Approving The Form Of The Preliminary Official Statement For The Series 2015 Bonds And Authorizing Execution Of The Final Official Statement For The Series 2015 Bonds; Authorizing The Negotiated Sale Of The Series 2015 Bonds And Approving The Form And Authorizing Execution Of The Bond Purchase Agreement For The Series 2015 Bonds; Approving The Forms And Authorizing Execution Of Escrow Deposit Agreements For The Outstanding Prior Bonds; Covenanting To Provide Continuing Disclosure In Connection With The Series 2015 Bonds And Approving The Form And Authorizing Execution Of A Continuing Disclosure Agreement; Authorizing Officers And Employees Of The Agency To Take All Necessary Actions In Connection With The Issuance Of The Series 2015 Bonds; And Providing For An Effective Date. **2:00 p.m. Second Reading Public Hearing/Joint City Commission & Redevelopment Agency**

(Finance)

(First Reading on September 30, 2015 - RDA 1C)

(Revised Exhibit B)

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Condensed Title:

REQUEST FOR APPROVAL TO AWARD A CONTRACT PURSUANT TO INVITATION TO BID (ITB) NO. 2016-002-KB FOR THE PAINTING AND STRIPING OF DEDICATED BIKE LANES.

Key Intended Outcome Supported:

Ensure comprehensive mobility addressing all modes throughout the city.

Supporting Data (Surveys, Environmental Scan, etc): N/A

Item Summary/Recommendation:

The City is seeking to paint and stripe dedicated bike lanes on 16th Street from Washington Avenue to Alton Road. The scope of work under this ITB includes furnishing of all supervision, labor, materials, tools, equipment and performing all operations required to construct the Work in accordance with the Contract Documents. The improvements for 16th Street from Washington Avenue to Alton Road will consist of painting green the existing bike lanes on the eastbound and westbound directions, striping and pavement markings. This project enhances existing bicycle facilities along 16th Street.

To seek bids for the desired work, ITB No. 2015-002-KB, was issued on October 1st, 2015, with a bid opening date of October 9th, 2015. Two (2) addenda were issued. The Procurement Department issued bid notices to 105 companies. The notices resulted in the receipt of two (2) responses from Atlantic Paving Company and McShea Contracting, LLC. See tabulation sheet (Appendix A).

The City Manager has considered the bids received, pursuant to ITB 2015-002-KB, and recommends that the Mayor and City Commission of the City of Miami Beach, Florida, approve the award of a contract to Atlantic Paving Company, the lowest responsive, responsible bidder to the ITB; and further authorize the Mayor and City Clerk to execute the contract.

RECOMMENDATION

The Administration recommends that the Mayor and City Commission of the City of Miami Beach, Florida approve the City Manager's recommendation pertaining to the bids received, pursuant to ITB 2015-002-KB, for the painting and striping of dedicated bike lanes.

Advisory Board Recommendation:

N/A

Financial Information:

Source of Funds:		Amount	Account
	1		
	2		
OBPI	Total		

Financial Impact Summary: The cost associated with for the painting and striping of dedicated bike lanes is subject to the funds availability approved through the City's budgeting process.

City Clerk's Office Legislative Tracking:

Alex Denis, Jose Gonzalez

Sign-Offs:

Department Director	Assistant City Manager	City Manager
FOR JRG XF AD	KGB MT	JLM


T:\AGENDA\2015\October\PROCUREMENT\ITB 2016-002-KB Painting and Striping of Dedicated Bike Lanes - Summary.doc

MIAMI BEACH

City of Miami Beach, 1700 Convention Center Drive, Miami Beach, Florida 33139, www.miamibeachfl.gov

COMMISSION MEMORANDUM

TO: Mayor Philip Levine and Members of the City Commission

FROM: Jimmy L. Morales, City Manager 

DATE: October 14th, 2015

SUBJECT: **REQUEST FOR APPROVAL TO AWARD A CONTRACT PURSUANT TO INVITATION TO BID (ITB) NO. 2016-002-KB FOR THE PAINTING AND STRIPING OF DEDICATED BIKE LANES.**

KEY INTENDED OUTCOME

Ensure comprehensive mobility addressing all modes throughout the city.

FUNDING

The cost associated with for the painting and striping of dedicated bike lanes is subject to the funds availability approved through the City's budgeting process.

BACKGROUND INFORMATION

The City is seeking to paint and stripe dedicated bike lanes on 16th Street from Washington Avenue to Alton Road. The scope of work under this ITB includes furnishing of all supervision, labor, materials, tools, equipment and performing all operations required to construct the Work in accordance with the Contract Documents. The improvements for 16th Street from Washington Avenue to Alton Road will consist of painting green the existing bike lanes on the eastbound and westbound directions, striping and pavement markings. This project enhances existing bicycle facilities along 16th Street.

ITB PROCESS

To seek bids for the desired work, ITB No. 2015-002-KB, was issued on October 1st, 2015, with a bid opening date of October 9th, 2015. Two (2) addenda were issued. The Procurement Department issued bid notices to 105 companies. The notices resulted in the receipt of two (2) responses from Atlantic Paving Company and McShea Contracting, LLC. See tabulation sheet (Appendix A).

The ITB stated that the lowest responsive, responsible bidder meeting all terms, conditions, and specifications of the ITB will be recommended for award. In its due diligence, the Procurement Department verified that the low bidder, Atlantic Paving Company has met the requirements of the ITB, including:

1. **Previous Experience:** Bidder (defined as the Firm) shall have completed or in the process of completing at least two projects for lane striping and painting within the last five years.

Atlantic Paving Company. submitted two (2) projects completed in the last five years which demonstrate their experience in projects for lane striping and painting as indicated in the ITB.

Accordingly, Atlantic Paving Company, has been deemed the lowest responsive and responsible bidder(s) meeting all terms, conditions, and specifications of the ITB.

CITY MANAGER'S REVIEW AND RECOMMENDATION

The City Manager has considered the bids received, pursuant to ITB 2015-002-KB, and recommends that the Mayor and City Commission of the City of Miami Beach, Florida, approve the award of a contract to Atlantic Paving Company, the lowest responsive, responsible bidder to the ITB; and further authorize the Mayor and City Clerk to execute the contract.

RECOMMENDATION

The Administration recommends that the Mayor and City Commission of the City of Miami Beach, Florida approve the City Manager's recommendation pertaining to the bids received, pursuant to ITB 2015-002-KB, for the painting and striping of dedicated bike lanes.

JLM/MT/KGB/JRG/AD

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EXHIBIT A

VERIFIED BID SUBMITTAL TABULATION
ITB 2016-002-KB - Painting & Striping of Dedicated Bicycle
Lanes

	McShea Contracting LLC	Atlantic Paving Co.
Lump Sum Amount:	\$489,320.00	\$130,986.00

COMMISSION ITEM SUMMARY

Condensed Title:

Three ordinance amendments amending Chapters 114, 118, 138, and 142 of the Land Development Regulations (LDR's); Appendix A of the City Code; and Chapters 14, 15, 50, 66, 86, and 98 of the City Code in order to improve predictability, transparency, and efficiency of fees related to permitting and land development.

Key Intended Outcome Supported:

Increase satisfaction with neighborhood character. Increase satisfaction with development and growth management across the City.

Supporting Data (Surveys, Environmental Scan, etc) 48% of residential respondents and 55% of businesses rate the effort put forth by the City to regulate development is "about the right amount."

Item Summary/Recommendation:

FIRST READING

The amendment to the LDR's generally proposes to consolidate fees listed throughout the LDR's into a single section (Section 118-7). The amendment to the City Code proposes to consolidate and make more transparent Building, Public Works, Fire, and Planning fees that are related to permitting and land development.

The amendment to Appendix A proposes that Commercial Permit fees for Planning, Fire, and Public Works will be 0.70% of the job value of construction, with a minimum fee of \$70.00 for commercial permits per reviewing department; Residential Permit Fees for Planning, Fire and Public Works will be 0.50% of the job value of construction, with a minimum fee of \$50.00 per reviewing department; and that various "stand-alone" and flat fees in "Appendix A" are also being updated, and will be annually updated based on CPI.

On October 5, 2015, the Finance and Citywide Projects Committee recommended approval of the proposed ordinance amendments to the Land Use and Development Committee and the City Commission. On October 7, 2015, the Land Use and Development Committee recommended approval of the proposed Ordinance amendments.

The Administration recommends that the City Commission: 1) accept the recommendation of the Land Use and Development Committee and Finance and Citywide Projects Committee via separate motions; and 2) approve the attached Ordinance at First Reading and schedule a Second Reading Public Hearing for October 28, 2015.

Advisory Board Recommendation:

The Planning Board is scheduled to review the proposed ordinance amendment to the LDR's (Chapters 114, 118, 138, and 142) on October 27, 2015. (Planning Board File No. 2291).

Financial Information:

Source of Funds:		Amount	Account
	1		
OBPI	Total		


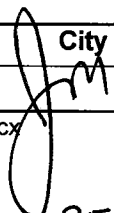
Financial Impact Summary:

In accordance with Charter section 5.02, which requires that the "City of Miami Beach shall consider the long-term economic impact (at least 5 years) of proposed legislative actions," this shall confirm that the City Administration evaluated the long-term economic impact (at least 5 years) of this proposed legislative action, and determined that there will be no measurable impact on the City's budget.

City Clerk's Office Legislative Tracking:

Thomas Mooney

Sign-Offs:

Department Director	Assistant City Manager	City Manager
		

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MIAMI BEACH

AGENDA ITEM
DATE

RSN

10-14-15

MIAMI BEACH

City of Miami Beach, 1700 Convention Center Drive, Miami Beach, Florida 33139, www.miamibeachfl.gov

COMMISSION MEMORANDUM

TO: Mayor Philip Levine and Members of the City Commission

FROM: Jimmy L. Morales, City Manager

DATE: October 14, 2015

FIRST READING

SUBJECT: **Ordinance Amendments - Land Development Regulation and Permit Review Fees**

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE LAND DEVELOPMENT REGULATIONS OF THE CODE OF THE CITY OF MIAMI BEACH, FLORIDA; BY AMENDING CHAPTER 114 ENTITLED "GENERAL PROVISIONS", AT SECTION 114-7; CHAPTER 118 ENTITLED "ADMINISTRATION AND REVIEW PROCEDURES", ARTICLE I ENTITLED "IN GENERAL", AT SECTIONS 118-3 AND 118-6, ARTICLE III ENTITLED "AMENDMENT PROCEDURE", AT SECTION 118-162, ARTICLE IV ENTITLED "CONDITIONAL USE PROCEDURE", AT SECTION 118-193 AND 118-196, ARTICLE VI ENTITLED "DESIGN REVIEW PROCEDURES", AT SECTIONS 118-253 AND 118-255, ARTICLE VII ENTITLED "DIVISION OF LAND/LOT SPLIT", AT SECTION 118-321, ARTICLE VIII ENTITLED "PROCEDURE FOR VARIANCES AND ADMINISTRATIVE APPEALS", AT SECTIONS 118-353 AND 118-357, ARTICLE IX ENTITLED "NONCONFORMANCES", AT SECTION 118-399, ARTICLE X ENTITLED "HISTORIC PRESERVATION", AT SECTIONS 118-562, 118-563, 118-564, AND 118-591; CHAPTER 138, ENTITLED "SIGNS", AT SECTIONS 138-135 AND 138-136; CHAPTER 142, ENTITLED "ZONING DISTRICTS AND REGULATIONS", AT SECTION 142-108; AND FURTHER AMENDING CHAPTER 118, ENTITLED "ADMINISTRATION AND REVIEW PROCEDURES", TO CREATE SECTION 118-7 AND 118-8; UPDATING AND CONSOLIDATING THE SECTIONS OF THE LAND DEVELOPMENT REGULATIONS REQUIRING THE ASSESSMENT OF FEES IN ORDER TO IMPROVE PREDICTABILITY, TRANSPARENCY AND EFFICIENCY OF THE CODE; PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE CODE OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING APPENDIX A, "FEE SCHEDULE" TO REVISE BUILDING, FIRE, PLANNING, AND PUBLIC WORKS FEES

CHARGED FOR SERVICES RELATED TO LAND DEVELOPMENT AND PERMITTING; PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 14, "BUILDING REGULATIONS," DIVISION 2, "PERMIT FEES," AT SECTIONS 14-61, 14-62, 14-66, 14-67, 14-68, 14-70, AND 14-72; CHAPTER 15, "ZONING REVIEW FEE ASSOCIATED WITH THE BUILDING PERMIT PROCESS," ARTICLE II, "ZONING REVIEW FEES ASSOCIATED WITH THE BUILDING PERMIT PROCESS," AT SECTIONS 15-31, 15-32, 15-33, 15-34, 15-35, 15-36, AND 15-37; CHAPTER 50, "FIRE PREVENTION AND PROTECTION," AT SECTIONS 50-3, 50-4, 50-5, 50-6, 50-7, AND 50-8; CHAPTER 66, "MARINE STRUCTURES, FACILITIES AND VEHICLES," ARTICLE III, "PIERS, DOCKS AND BOAT RAMPS," AT SECTION 66-114; CHAPTER 86, "SALES," DIVISION 2, "PERMIT," AT SECTION 86-56; CHAPTER 98, "STREETS AND SIDEWALKS," ARTICLE III, "EXCAVATIONS," DIVISION 2, "PERMIT," AT SECTIONS 98-93 AND 98-94; FURTHER AMENDING CHAPTER 50, "FIRE PREVENTION AND PROTECTION," TO CREATE SECTIONS 50-9, 50-10, 50-11, 50-12, 50-13, 50-14, AND 50-15; CHAPTER 98, "STREETS AND SIDEWALKS," ARTICLE III, "EXCAVATIONS," DIVISION 2, "PERMIT," TO CREATE SECTIONS 98-95, 98-96, 98-97, 98-98, 98-99, AND 98-100; UPDATING AND CONSOLIDATING THE SECTIONS OF THE CITY CODE OF ORDINANCES THAT REQUIRE THE ASSESSMENT OF FEES FOR PERMITTING SERVICES IN ORDER TO IMPROVE PREDICTABILITY, TRANSPARENCY AND EFFICIENCY OF THE CODE; PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

ADMINISTRATION RECOMMENDATION

The Administration recommends that the City Commission accept the recommendation of the Land Use and Development Committee and Finance and Citywide Projects Committee via separate motions; and approve the attached Ordinances at First Reading, and schedule a Second Reading Public Hearing for October 28, 2015.

BACKGROUND

On October 10, 2014, the City Commission approved and directed the city administration to assess the need for updating its Enterprise Resource Planning (ERP) program in order to automate, streamline and refine city processes. The City is in the process of implementing the Tyler Technology software (Munis and EnerGov), to maximize the delivery of services.

On June 10, 2015, at the request of Commissioner Malakoff, the City Commission referred an item to review Planning Department fees, including fees associated with plans review, board applications and other ministerial functions to the Finance and City Wide Projects Committee, Land Use and Development Committee, and Planning Board. This amendment is consistent with the

recommendation of Tyler Technologies as well as EMA, the city's business process analyst, and includes a comparable analysis and recommendation for Fire, Building and Public Works fees also associated with the permitting process.

On October 5, 2015, the Finance and Citywide Projects Committee recommended approval of the proposed ordinance amendments to the Land Use and Development Committee and the City Commission. On October 7, 2015, the Land Use and Development Committee recommended approval of the proposed Ordinance amendments.

ANALYSIS

The City Administration has reviewed the subject sections and is recommending amendments to the City Code in order to provide as much predictability as possible in the development process, transparency to the public and efficiency for services associated with the development regulations and permit review. The recommendations are consistent with the recommendation of Tyler Industries and EMA, as it relates to the implementation of an updated ERP program.

Attached are two Ordinance Amendments that accomplish the aforementioned goal. One of the ordinance amendments proposes changes to the following Chapters of the City Code: Chapter 14, "Building Regulations;" Chapter 15, "Zoning Review Fee Associated with the Building Review Process;" Chapter 50, "Fire Prevention and Protection;" Chapter 66, "Marine Structures, Facilities and Vehicles;" Chapter 86, "Sales;" and Chapter 98, "Streets and Sidewalks."

The other amendment proposes changes to the following sections of the Land Development Regulations of the City Code: Chapter 114, "General Provisions;" Chapter 118, "Administration and Review Procedures;" Chapter 138, "Signs;" and Chapter 142, "Zoning Districts and Regulations" of the Land Development Regulations. Fees described throughout various sections of the Land Development Regulations are proposed to refer to a new consolidated fee section (Section 118-7). In addition, the amendment removes the ability to request adjustments to after-the-fact fees and modifies submittal and fee requirements for traffic studies.

Additionally, internal review of code sections and Appendix A shows that certain fees have not been adjusted in over ten years. This has resulted in decreased recovery of expenses related to the permitting process. For this reason, the City Administration is proposing to update the "Appendix A Fee Schedule" in order to more accurately defray costs of administering services provided by the Planning, Fire, Building and Public Works Departments. The Budget Department provided guidance in the methodology and targets used in the generation of the proposed fees.

The proposed changes to the fee ordinance include charging a flat rate of 0.70% per reviewing department (2.1% cumulative) of job values for commercial permits, and 0.50% (1.0% cumulative) of job values for residential projects, with a minimum fee of \$70.00 for commercial permits and \$50.00 for residential permits, per reviewing department. These rates represent the Departments' best efforts at estimating the generation of sufficient fees to cover the Departments' costs of operation as permitted by law. This format of calculating fees is consistent with the current methodology implemented by the Building Department in 2014, as well as Miami Dade County. The proposed fees are intended to become effective with the implementation of the new permitting software which is scheduled to go live on or about April of 2016.

The Planning, Fire and Public Works Departments are proposing amendments to:

- Commercial Permit fees for Planning, Fire, and Public Works will be 0.70% of the job value of construction, with a minimum fee of \$70.00 for commercial permits per reviewing department.
- Residential Permit Fees for Planning, Fire and Public Works will be 0.50% of the job value of construction, with a minimum fee of \$50.00 per reviewing department.
- Various “stand-alone” and flat fees in “Appendix A” are also being updated, and will be annually updated based on CPI.

PLANNING BOARD REVIEW

The Planning Board is scheduled to review the proposed ordinance amendment to the Land Development Regulations (Chapters 114, 118, 138, and 142) on October 27, 2015.

FISCAL IMPACT

In accordance with Charter Section 5.02, which requires that the “City of Miami Beach shall consider the long term economic impact (at least 5 years) of proposed legislative actions,” this shall confirm that the City Administration City Administration evaluated the long term economic impact (at least 5 years) of this proposed legislative action. The proposed Ordinance is not expected to have a negative fiscal impact upon the City.

CONCLUSION

The Administration recommends that the City Commission: 1) accept the recommendation of the Land Use and Development Committee and Finance and Citywide Projects Committee via separate motions; and 2) approve the attached Ordinance at First Reading and schedule a Second Reading Public Hearing for October 28, 2015.

JLM/SMT/TRM/MCS/RAM

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Land Development Regulations Fee Structure

ORDINANCE NO. _____

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE LAND DEVELOPMENT REGULATIONS OF THE CODE OF THE CITY OF MIAMI BEACH, FLORIDA; BY AMENDING CHAPTER 114 ENTITLED "GENERAL PROVISIONS", AT SECTION 114-7; CHAPTER 118 ENTITLED "ADMINISTRATION AND REVIEW PROCEDURES", ARTICLE I ENTITLED "IN GENERAL", AT SECTIONS 118-3 AND 118-6, ARTICLE III ENTITLED "AMENDMENT PROCEDURE", AT SECTION 118-162, ARTICLE IV ENTITLED "CONDITIONAL USE PROCEDURE", AT SECTION 118-193 AND 118-196, ARTICLE VI ENTITLED "DESIGN REVIEW PROCEDURES", AT SECTIONS 118-253 AND 118-255, ARTICLE VII ENTITLED "DIVISION OF LAND/LOT SPLIT", AT SECTION 118-321, ARTICLE VIII ENTITLED "PROCEDURE FOR VARIANCES AND ADMINISTRATIVE APPEALS", AT SECTIONS 118-353 AND 118-357, ARTICLE IX ENTITLED "NONCONFORMANCES", AT SECTION 118-399, ARTICLE X ENTITLED "HISTORIC PRESERVATION", AT SECTIONS 118-562, 118-563, 118-564, AND 118-591; CHAPTER 138, ENTITLED "SIGNS", AT SECTIONS 138-135 AND 138-136; CHAPTER 142, ENTITLED "ZONING DISTRICTS AND REGULATIONS", AT SECTION 142-108; AND FURTHER AMENDING CHAPTER 118, ENTITLED "ADMINISTRATION AND REVIEW PROCEDURES", TO CREATE SECTION 118-7 AND 118-8; UPDATING AND CONSOLIDATING THE SECTIONS OF THE LAND DEVELOPMENT REGULATIONS REQUIRING THE ASSESSMENT OF FEES IN ORDER TO IMPROVE PREDICTABILITY, TRANSPARENCY AND EFFICIENCY OF THE CODE; PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

WHEREAS, the Land Development Regulations of the City Code contain fees for development review and other services to cover the costs of implementing the regulations contained therein; and

WHEREAS, the City is in the process of updating of its Enterprise Resource Planning (ERP) program in order to automate, streamline and refine city processes; and

WHEREAS, in order to facilitate the automation of city processes, it is necessary to ensure that fees land development fees be as transparent as possible; and

WHEREAS, the City Administration has reviewed the structure of fees associated with land development and permit review and determined a more efficient, effective and transparent way to asses fees for these services is necessary; and

WHEREAS, the amendment set forth below is necessary to accomplish the objectives identified above.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA

SECTION 1. That Chapter 114, "GENERAL PROVISIONS," is hereby amended, as follows:

Sec. 114-7. - Enforcement.

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- (d) For purposes of inspection and upon presentation of proper credentials, the city's planning and zoning director, building official, and director of the department of code compliance or their authorized representatives, may enter at any reasonable time, any building, structure or premises, for the purpose of determining whether these land development regulations are being violated. In the event violations of these land development regulations are found on a given premises, the building official and the director of the department of code compliance, historic preservation and urban design director or their authorized representative, are empowered to issue notices of violation to the owner of such premises and to any persons responsible for creating or maintaining the violations. Additionally, the building official may stop work on projects which violate these land development regulations with respect to materials, work, grades, use or other regulations or provisions thereof.
- ~~(e) In the course of the administration of these land development regulations the appropriate department shall impose a fee for the services in subsections (e)(1), (2) of this section:~~
- ~~(1) Zoning compliance letters where a department is requested to determine compliance or provide zoning data related to improvements on existing or proposed property.~~
- ~~(2) There shall be a fee as provided in appendix A for zoning compliance letters in single-family districts and a fee as provided in appendix A for zoning compliance letters in all other districts or general interpretation letters. There shall be a fee as provided in appendix A for confirmation of the zoning classification and permitted uses on the site.~~

SECTION 2. That Chapter 118, "Administration and Review Procedures," Article I, "In General," is hereby amended as follows:

Sec. 118-3. - Mailing lists Reserved

~~Where these land development regulations require the submittal of a mailing list in conjunction with an application for a public hearing, the applicant may request that the city provide this service at a cost per mailing address as provided in appendix A.~~

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Sec. 118-6. - Use of, and cost recovery for, consultants for applications for development approval.

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- (d) Requirements for selection of a city consultant and procedures for payment. Prior to the applicant submitting an application for development approval, the applicant shall meet with city staff to determine the types of studies and/or reports required for the proposed project, as well as the methodology to be followed as part of the production of the study.
- (1) When an applicant is required to submit, as part of an application for development approval, a traffic or any other technical study and/or report, the applicant shall prepare the required study/report using its own consultant. ~~may elect either:~~
- A. ~~To authorize the city to commission the study/report, to be prepared by a city-approved consultant, selected by city staff from the approved list maintained by the procurement division; or~~
- B. ~~To prepare a required study/report using its own consultant.~~
- (2) ~~If an applicant elects to prepare a required study/report using its own consultant, then~~ The city shall review the study/report, and shall retain a consultant from the city's approved list having the necessary expertise to perform such review. The applicant shall be responsible for all costs associated with the city's consultant review, and shall pay for the costs associated with the city's consultant review prior to proceeding to approval of the application by the applicable land use board.
- ~~However, if the applicant elects to authorize the city to commission the study/report, to be prepared by a city-approved consultant, selected by city staff from the approved list maintained by the procurement division, then the applicant shall only be responsible for the costs associated with the consultant's preparation of the study/report; no additional consultant review fees shall be required.~~
- (3) ~~If an applicant elects to authorize the city to retain a consultant from the city's approved list for the preparation of a required study and/or report, then the procedure shall be as follows:~~
- A. ~~City staff shall select a qualified consultant from the city's approved list (i.e., with the required knowledge, skill and/or expertise required for the particular study/report).~~
- B. ~~City staff shall obtain a quote from the selected consultant for the particular study/report and shall transmit same to applicant.~~
- C. ~~The quote shall be based on fair market value and include a "not to exceed" amount that is inclusive of all charges and fees, as required to prepare and complete the work.~~
- D. ~~If applicant accepts the quote and elects to proceed with the work using the city's consultant then, prior to commencement of any work by the selected consultant, city staff shall require the applicant to deposit with the city an amount equal to the "not to exceed" amount of the quoted cost.~~
- E. ~~The city shall earn no additional fee as a result of applicant's use of the approved consultant.~~
- F. ~~Notwithstanding anything in this section, the applicant shall be solely responsible for all costs and fees associated with the consultant's preparation of the required study/report (including, without limitation, the consultant's fee).~~

- ~~(4) If an applicant elects to prepare a required study/report using its own consultant, then the city shall retain a consultant from the city's approved list having the necessary expertise and time to review the study/report.~~
- ~~(5) The procedures for selection of, and payment for, a city consultant retained under subsection (iv) above shall be the same as those for selection/payment of a city consultant by an applicant, as set forth in subsection (d)(3)A. F., with the applicant being solely responsible for payment of any and all costs and fees associated with the city consultant's review (of applicant's study/report).~~
- (e) [City not liable.] In no event shall the city be held liable, whether to applicants and/or third parties, for any work and/or services rendered by any consultant on the city's approved list, and/or otherwise in connection with a consultant's preparation or review of any study and/or report contemplated herein.
- (f) Expert reports and appearances.
 - (1) All required consultant or expert studies and/or reports, including those requested by a board, shall be provided to the city in written form, supplemented with digital format when available.
 - (2) Applicant's reports and/or studies shall be submitted to the city planning department a minimum of 60 days prior to the board hearing no later than ten days prior to the public hearing at which they are to be considered. Rebuttal reports submitted by opponent's consultants shall be submitted to the city no less than five 30 working days before the public hearing. Failure to meet these deadlines shall result in the subject report/study being deemed inadmissible for that public hearing, subject to a waiver of this inadmissibility by a 5/7 vote of the applicable board.
 - (3) Consultants or experts submitting reports/studies for consideration at public hearings must appear at the public hearing in order to allow for questions from the board and/or cross-examination. This provision may be waived by a 5/7 vote of the applicable board, authorizing the report/study to be sufficient for the purposes of the subject public hearing.

Sec. 118-7. - Fees for the administration of land development regulations.

The fees identified herein, and as outlined in Appendix A are for the purpose of defraying expenses for public notices, and administrative costs associated with processing and analyzing the request. These fees shall be evaluated and adjusted annually based on the consumer price index for all urban consumers (CPI-U). No application shall be considered complete until all requested information has been submitted and all applicable fees paid. The cost associated notice is the responsibility of the applicant. There shall be no refund or adjustment of fees. Any unpaid fees, including fees assessed for failure to appear before a board, shall become a lien against the property.

(a) Amendment to the Land Use Regulations, Zoning Map, Comprehensive Plan, Future Land Use Map

Any applicant requesting a public hearing on any application for an amendment pursuant to Section 118-162 shall pay, upon submission, all applicable fees in subsections (1) through (4) below:

- (1) Application for public hearing (text or map amendment).
- (2) Amendment pursuant to 118-162 (a) shall pay a fee for each:
 - i) Amendment to permitted, conditional, or prohibited uses in a zoning category, or
 - ii) Amendment to permitted, conditional, or prohibited uses in the comprehensive plan
- (3) Amendment pursuant to 118-162 (a) shall pay a fee per square foot of lot area for:
 - i) Amendment of zoning map designation, or
 - ii) Amendment on the future land use map of the comprehensive plan
- (4) Amendment pursuant to subsection 118-162 (b) of this section shall pay a fee for each:
 - i) Amendment to the land development regulations (per section), or
 - ii) Amendment to the comprehensive plan (per Goal, Policy or Objective).

(b) Conditional Use Permits

Any applicant requesting a public hearing on any application for conditional use permits, pursuant to Section 118-193 shall pay upon submission all applicable fees in subsection (1) through (10) below:

- (1) Application for public hearing (conditional use permit).
- (2) Per bed fee for an adult congregate living facility.
- (3) Application for amendment of an approved board order.
- (4) Application for clarification of an approved board order.
- (5) Application for extensions of time of an approved board order.
- (6) Withdrawals and continuances. If an applicant withdraws or requests a continuance of an application prior to the date of the public hearing a fee to defray the costs of scheduling the new public hearing shall be assessed. Payment of a mail notice fee to notify the property owners of the cancellation of the original public hearing and establishment of the revised hearing date may be required.
- (7) Deferral of public hearing. If the applicant requests a deferral of a public hearing, a fee equal to the total application fee shall be assessed. Payment of a mail notice fee to notify the property owners of the deferral of the original public hearing and establishment of the revised hearing date shall be required. If deferment or clarification of conditions is requested by the administration or the board, there will be no additional fee.
- (8) Application for after-the-fact approval shall incur triple fees, excluding advertisement, mail, and posting fees as applicable.
- (9) Status report.
- (10) Progress report.

(c) Design Review

Any applicant requesting a public hearing on any application for design review board approval, pursuant to Section 118-253 and 254, shall pay, upon submission, all applicable fees in subsection (1) through (11) below:

- (1) Application for a preliminary evaluation of a project before the design review board
- (2) Application for public hearing (Board approval).
- (3) Application for design review approval fee per square foot of floor area.
- (4) Application for amendment of an approved board order.
- (5) Withdrawals and continuances. If an applicant withdraws or requests a continuance of an application prior to the date of the public hearing a fee to defray the costs of scheduling the new public hearing shall be assessed. Payment of a mail notice fee to notify the property owners of the cancellation of the original public hearing and establishment of the revised hearing date may be required.
- (6) Deferral of public hearing. If the applicant requests a deferral of a public hearing, a fee equal to the total application fee shall be assessed. Payment of a mail notice fee to notify the property owners of the deferral of the original public hearing and establishment of the revised hearing date shall be required. If deferment or clarification of conditions is requested by the administration or the board, there will be no additional fee.
- (7) Application for clarification of an approved board order.
- (8) Application for extensions of time of an approved board order.
- (9) Application for after-the-fact approval shall incur triple fees, excluding advertisement, mail, and posting fees as applicable.
- (10) Status report.
- (11) Progress report.

(d) Land / Lot Split

Any applicant requesting a public hearing on any application for a lot split pursuant to Section 118-321 shall pay, upon submission, all applicable fees in subsection (1) through (7) below:

- (1) Application for public hearing
- (2) Application for amendment of an approved board order.
- (3) Withdrawals and continuances. If an applicant withdraws or requests a continuance of an application prior to the date of the public hearing a fee to defray the costs of scheduling the new public hearing shall be assessed. Payment of a mail notice fee to notify the property owners of the cancellation of the original public hearing and establishment of the revised hearing date may be required.
- (4) Deferral of public hearing. If the applicant requests a deferral of a public hearing, a fee equal to the total application fee shall be assessed. Payment of a mail notice fee to notify the property owners of the deferral of the original public hearing and establishment of the revised hearing date shall be required. If deferment or clarification

of conditions is requested by the administration or the board, there will be no additional fee.

- (5) Application for clarification of an approved board order.
- (6) Application for extensions of time of an approved board order.
- (7) Application for after-the-fact approval shall incur triple fees, excluding advertisement, mail, and posting fees as applicable.
- (8) Status report.
- (9) Progress report.

(e) Variances

Any applicant requesting a public hearing on any application pursuant to Section 118-353 shall pay, upon submission, the applicable fees in subsection (1) through (11) below:

- (1) Application for public hearing
- (2) Fee per variance requested.
- (3) Application for amendment of an approved board order.
- (4) Withdrawals and continuances. If an applicant withdraws or requests a continuance of an application prior to the date of the public hearing a fee to defray the costs of scheduling the new public hearing shall be assessed. Payment of a mail notice fee to notify the property owners of the cancellation of the original public hearing and establishment of the revised hearing date may be required.
- (5) Deferral of public hearing. If the applicant requests a deferral of a public hearing, a fee equal to the total application fee shall be assessed. Payment of a mail notice fee to notify the property owners of the deferral of the original public hearing and establishment of the revised hearing date shall be required. If deferment or clarification of conditions is requested by the administration or the board, there will be no additional fee.
- (6) Application for clarification of an approved board order.
- (7) Application for extensions of time of an approved board order.
- (8) Application for after-the-fact approval shall incur triple fees, excluding advertisement, mail, and posting fees as applicable.
- (9) Status report.
- (10) Progress report.
- (11) Applicant/owners requesting a variance shall pay one half of the total fee with proof of homestead or primary occupancy of the subject property from the Miami-Dade County Property Appraiser's Office. Applicant/owner shall pay 100% of the required notice fee.

(f) Certificate of Appropriateness

Any applicant requesting a public hearing on any application pursuant to Section 118-562 – 564, shall pay, upon submission, the applicable fees in subsection (1) through (12), below:

- (1) Application for a preliminary evaluation of a project before the board.
- (2) Application for public hearing.
- (3) Application for certificate of appropriateness fee per square foot of floor area.
- (4) Application for amendment of an approved board order.
- (5) Withdrawals and continuances. If an applicant withdraws or requests a continuance of an application prior to the date of the public hearing a fee to defray the costs of scheduling the new public hearing shall be assessed. Payment of a mail notice fee to notify the property owners of the cancellation of the original public hearing and establishment of the revised hearing date may be required.
- (6) Deferral of public hearing. If the applicant requests a deferral of a public hearing, a fee equal to the total application fee shall be assessed. Payment of a mail notice fee to notify the property owners of the deferral of the original public hearing and establishment of the revised hearing date shall be required. If deferment or clarification of conditions is requested by the administration or the board, there will be no additional fee.
- (7) Application for clarification of an approved board order.
- (8) Application for extensions of time of an approved board order.
- (9) Application for after-the-fact approval shall incur triple fees, excluding advertisement, mail, and posting fees as applicable.
- (10) Structural Engineering Reports or Reviews as required.
- (11) Status reports.
- (12) Progress reports.

(g) Historic Designation

Any applicant other than the city commission, a city board or other city official applicant requesting a public hearing on any application pursuant to Section 118-591, shall pay, upon submission, the applicable fees in subsection (1) through (9) below:

- (1) Application for public hearing.
- (2) Applications for district designation per platted lot fee.
- (3) Application for amendment of an approved board order.
- (4) Withdrawals and continuances. If an applicant withdraws or requests a continuance of an application prior to the date of the public hearing a fee to defray the costs of scheduling the new public hearing shall be assessed. Payment of a mail notice fee to notify the property owners of the cancellation of the original public hearing and establishment of the revised hearing date may be required.
- (5) Deferral of public hearing. If the applicant requests a deferral of a public hearing, a fee equal to the total application fee shall be assessed. Payment of a mail notice fee to notify the property owners of the deferral of the original public hearing and

establishment of the revised hearing date shall be required. If deferment or clarification of conditions is requested by the administration or the board, there will be no additional fee.

- (6) Application for clarification of an approved board order.
- (7) Structural Engineering Reports or Reviews as required
- (8) Status reports
- (9) Progress reports

An application for the individual designation of a single-family home shall not require a fee.

(h) Determination of Architectural Significance

Any applicant requesting a determination of architectural significance, pursuant to Section 142-108, shall pay, upon submission all applicable fees in subsection (1) below:

- (1) Application for a determination of architectural significance by planning director.

(i) Staff review and miscellaneous fees

In the course of the administration of the land development regulations the department shall impose a fee for services and items outlined below:

- (1) Board order recording.
- (2) Zoning verification letters.
- (3) Zoning interpretation letters.
- (4) Reserved.
- (5) Courier.
- (6) Research.
- (7) Excessive review.
- (8) Review of covenants and easements.
- (9) Failure to appear before a board for status or progress report.
- (10) Permits for work not identified in appendix A. If it is determined that no specific fee category directly matches a permit application request, the planning director may identify a category that closely matches the level of effort or determine what the work will be charged based on the time dedicated for plans review and inspection. The department director may require an upfront fee and a deposit to cover the estimated cost of the services to be provided.
- (11) Modification or release of covenant or easement.
- (12) Recording fee per page.
- (13) Paint permit (non-online applications).
- (14) Signs (not requiring a building permit).
- (15) Submittal conversion to electronic format.

(j) Fee in lieu of providing required parking

- (1) One-time fee in lieu of providing required parking
- (2) Yearly payment fee in lieu of providing required parking

SECTION 3. That Chapter 118, "Administration and Review Procedures," Article III, "Amendment Procedure," is hereby amended as follows:

Sec. 118-162. - Petition for changes and amendments.

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- (c) The applicant or his representative shall file an application with the planning, design and historic preservation division in accordance with a form approved by the city attorney and shall supply all information pertinent to the proposed amendment as requested by the planning, design and historic preservation division.
- (d) Any applicant requesting a public hearing on any application pursuant to this section shall pay, upon submission, the applicable fees in section 118-7. No application shall be considered complete until all requested information has been submitted and all applicable fees paid.

~~Any applicant requesting a public hearing on any application for an amendment to these land development regulations shall pay, upon submission, the applicable fees in section 114-9 subsections (d) (1), (2):~~

- ~~(1) Amendment pursuant to subsection (a) of this section: Change of zoning map designation or change on the future land use map of the comprehensive plan: A fee as provided in appendix A per square foot of lot area. Proposals that involve a change of zoning map designation or future land use map changes shall pay a fee as provided in appendix A per square foot of lot area for each request. Changes in the actual list of permitted, conditional or prohibited uses shall pay a fee as provided in appendix A per section of these land development regulations or comprehensive plan.~~
- ~~(2) An amendment pursuant to subsection (b) of this section shall require a fee as provided in appendix A per section of these land development regulations or comprehensive plan amended~~

~~The fees in subsections (d) (1), (2) are for the purpose of defraying expenses of public notices, including but not limited to postage and other administrative costs associated with processing and analyzing the request. No application shall be considered complete until all requested information has been supplied and all applicable fees have been paid.~~

- (e) Upon receipt of a completed application, the planning and zoning director shall transmit the application along with his analysis and recommendations regarding the proposed amendment to the planning board for review.

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SECTION 4. That Chapter 118, "Administration and Review Procedures," Article IV, "Conditional Use Procedure," is hereby amended as follows:

Sec. 118-193. - Applications for conditional uses.

Applications for approval of a conditional use shall be submitted to the planning department, which shall prepare a report and recommendation for consideration by the planning board, and when required, by the city commission. Within a reasonable time, but in no instance less than 30 days after receipt of a completed application, the board shall hold a public hearing, at which parties in interest and citizens shall have an opportunity to be heard. At least 30 days prior to the public hearing date, a description of the request, and the date, time and place of such hearing shall be (i) posted on the property, (ii) advertised in a paper of general paid circulation in the community, and (iii) given by mail to the owners of record of land lying within 375 feet of the property. This mailed notification requirement shall be the responsibility of the applicant. Any applicant requesting a public hearing on any application pursuant to this section shall pay, upon submission, the applicable fees in section 118-7. No application shall be considered complete until all requested information has been submitted and all applicable fees paid.

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Sec. 118-196. - Fees Reserved.

~~The fees in this section are for the purpose of defraying expenses of public notices and other administrative costs in connection with processing applications.~~

- ~~(1) Any applicant requesting and obtaining a public hearing before the planning board shall pay the following fees:
 - a. Conditional use. When a fee has not been established for a specific use there shall be a fee as provided in appendix A.
 - b. Adult congregate living facility. For an adult congregate living facility there shall be a fee as provided in appendix A.~~
- ~~(2) A request for minor amendment to an approved conditional use, clarification of conditions or an extension of time shall require a payment of fee as provided in appendix A.~~
- ~~(3) A request for a substantial amendment to an approved conditional use shall require a fee as provided in appendix A.~~
- ~~(4) If an applicant withdraws his application prior to the date of the public hearing and requests a new hearing date, a fee as provided in appendix A shall be required. The fee is to defray the costs of scheduling the new public hearing to notify the property owners of the cancellation of the original public hearing and establishment of the revised hearing date.~~
- ~~(5) If the applicant requests a deferral of a public hearing, a fee commensurate with all costs shall be assessed; however, the fee shall not be less than as provided in appendix A.~~

- ~~(6) A fee as provided in appendix A shall be required in order to file an appeal of the planning and zoning director's decision, with respect to article VIII of this chapter. If notification of property owners is required, the fees shall be as set forth in this section.~~
- ~~(7) Any after the fact conditional use application shall automatically incur triple fees. Notwithstanding this provision, the board may adjust the after the fact fee based on substantial competent evidence that there are extenuating circumstances that warrant such an adjustment. The request for a fee adjustment shall be in writing and made part of the conditional use application. The adjusted after the fact fee shall not be less than the regular application fee.~~

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SECTION 5. That Chapter 118, "Administration and Review Procedures," Article VI, "Design Review Procedures," is hereby amended as follows:

Sec. 118-253. - Application for design review.

(a) The applicant shall obtain a design review application from the planning department, which shall be responsible for the overall coordination and administration of the design review process. When the application is complete, the planning department shall place the application on the agenda and prepare a recommendation to the design review board. The planning department shall determine the date on which the application will be heard by the board; however, the board shall consider the application and planning department recommendation at the next available meeting date after the submission of a completed application to the planning department. Any applicant requesting a public hearing on any application pursuant to this section shall pay, upon submission, the applicable fees in section 118-7. No application shall be considered complete until all requested information has been submitted and all applicable fees paid.

(b) In the event the applicant seeks a preliminary evaluation of a project from the board for information and guidance purposes only, an application for preliminary evaluation shall be required. The planning director, or designee, shall determine the supplemental documents and exhibits necessary and appropriate to complete an application for a preliminary evaluation; the required supplemental documents and exhibits shall serve to describe and illustrate the project proposed in the application in a manner sufficient to enable the board to provide general comments, feedback, information and guidance with respect to the application. Preliminary evaluations by the board shall be for informational purposes only; a preliminary evaluation by the board shall not constitute a binding approval, nor shall any comments, feedback, information or guidance provided by the board be binding upon the board during subsequent review of the preliminary application or a related final application. The board may provide a general comment, feedback, information and guidance during the initial hearing on the application for preliminary evaluations, and may continue discussion on a preliminary evaluation to subsequent meetings in order for the applicant to better address any specific concerns raised by the board or staff, or may elect to terminate the preliminary evaluation process after providing general comments. All preliminary evaluations shall be subject to the noticing requirements provided in section 118-254. Preliminary evaluations shall not constitute a design review approval, and therefore an applicant acquires no equitable estoppel rights or protections of any kind, type or nature based upon the filing or review of the preliminary evaluation application. The board will not issue an order either approving or denying a project or take any formal action on preliminary evaluation application. Preliminary evaluations shall not entitle applicants to any of the benefits accorded to applicants who have received design review approval, inclusive of appeals or rehearings.

Except as used in this section, the use of the phrase "application" throughout this article refers to a completed application for approval and not to a preliminary evaluation application. ~~An applicant may withdraw an application for a preliminary evaluation at any time, provided however, that no fee shall be refunded in the event the withdrawal is made after the giving of notice.~~

- ~~(c) The design review board may, at its sole discretion, on an individual, case-by-case basis, allow a two-step process for design review approval. The two-step process shall consist of, first: a binding, preliminary concept approval on the issues of urbanism, massing and siting; and second: approval of the project's design details (style, fenestration, materials, etc.). This two-step process shall be subject to the following:~~
- ~~(1) The design review board shall have the sole discretion, on an individual, case-by-case basis, to decide which development projects may pursue this two-step approval process for design review approval.~~
 - ~~(2) In the event the design review board should authorize the two-step approval process, the applicant shall have a maximum of 120 days from the date of preliminary concept approval on the issues of urbanism, massing and siting, to return to the board with fully developed design drawings and substantial details (style, fenestration, materials, etc.) for final approval, or the entire application shall become null and void. The board, at its sole discretion, may extend the time period to return to the board for final approval, provided that the total time through final approval does not exceed one year from the date of the original submission of the application. The applicant shall have six months from the date of preliminary concept approval on the issues of urbanism, massing and siting, to obtain final approval for the remainder of the project or the entire application shall become null and void. The board, at its sole discretion, may extend the time period to obtain final approval for the remainder of the project up to a maximum of one year from the date of the original submission of the application.~~

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Sec. 118-255. - Reserved Fees.

- ~~(a) An applicant shall pay, upon the submission of an application to the planning department, design and historic preservation division, a fee based upon the following schedule:~~
- ~~(1) An application for a preliminary evaluation of a project before the design review board shall require a fee as provided in appendix A, which shall not be refundable, nor shall it be applied to reduce any other fees due and payable pursuant to this section.~~
 - ~~(2) An application requiring a hearing before the board for design review approval shall require a base fee plus a fee per square feet of floor area as provided in appendix A.~~
 - ~~(3) An application requiring staff review for minor alterations and minor additions including storefront replacement and storefront reconfiguration shall require a fee as provided in appendix A.~~
 - ~~(4) An application pertaining only to signs, awnings and window replacements shall require a fee as provided in appendix A.~~
 - ~~(5) An application pertaining only to paint shall require a fee as provided in appendix A.~~
 - ~~(6) If a deferment or clarification hearing is requested by the applicant, an additional fee as provided in appendix A shall be assessed.~~

- ~~(7) If a deferment or clarification of conditions is requested by the board, there will be no additional fee.~~
- ~~(8) If the applicant removes his file from the agenda after it has been accepted by the planning, design and historic preservation division, the city shall retain 50 percent of the application fee.~~
- ~~(9) An application pertaining to extensions of time shall require a fee as provided in appendix A.~~
- ~~(10) Any after-the-fact application shall incur triple fees.~~
 - ~~a. Notwithstanding the above provision, the design review board or the joint design review board/historic preservation board (when applicable) may adjust the after-the-fact fee based on substantial competent evidence that there are extenuating circumstances that warrant such an adjustment. The request for a fee adjustment shall be in writing. The adjusted after-the-fact fee shall not be less than the regular application fee.~~
 - ~~b. The request shall be:~~
 - ~~1. Part of the design review board or the joint design review/historic preservation board application (when applicable); or~~
 - ~~2. A separate application requesting an adjustment to the after-the-fact fee for a staff level review.~~
 - ~~c. If a request for an adjustment to the after-the-fact fee for a staff level review is submitted, there will be an additional fee as provided in appendix A to place the item on the board's agenda.~~
- ~~(11) Minor revisions to previously approved plans shall require a fee as provided in appendix A for reviews conducted by staff and one half of the original fee for plans which were approved by the board.~~
- ~~(12) Major revisions to plans previously approved by the board shall require a base fees as provided in appendix A plus one half of the original fee.~~
- ~~(13) Appeal of a staff decision to the board shall require a fee as provided in appendix A and an appeal of a board decision to the city commission shall require a fee as provided in appendix A. The fee shall be refunded if the applicant prevails in the appeal.~~
- ~~(14) An application pertaining to the rehearing of a project shall require a fee of one half of the original fee.~~
- ~~(b) The fee schedule in subsection (a) of this section is provided to defray the costs associated with the administration of this section.~~

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SECTION 6. That Chapter 118, "Administration and Review Procedures," Article VII, "Division of Land/Lot Split," is hereby amended as follows:

Sec. 118-321. - Purpose, standards and procedure.

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A. Procedure.

- (1) All applicants shall provide as part of the application process copies of all deed restrictions, reservations or covenants applicable to the building site, lot, plot or parcel of land being considered for division or split, and an opinion of title that, as of a date not more than 120 days before the planning board's decision upon the application, none of such matters prevent or serve as exceptions to the division or split requested. No variance from this requirement shall be allowed.
- (2) Any applicant requesting a public hearing on any application pursuant to this section shall pay upon submission all applicable fees in section 118-7. No application shall be considered complete until all requested information has been submitted and all applicable fees paid. Any applicant requesting the establishment or separation of building sites shall pay the fee for division of lot or lot split as provided in appendix A. The fees in this section are for the purpose of defraying expenses of public notices and other administrative costs in connection with processing applications. An additional fee as provided in appendix A shall be required for an after-the fact application.
- (3) ~~If a deferment or an extension of time is requested by the applicant, an additional fee as provided in appendix A shall be assessed.~~
- (4) ~~If a request for a deferral is submitted by the administration or the planning board, and not at the request of an applicant, there will be no additional charge.~~
- (5) ~~If the applicant withdraws the application after it has been accepted by the planning department, but prior to the public noticing of the request, the city shall refund 50 percent of required fees.~~

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~~D. Procedure to request adjustment to the after-the fact fee. The planning board may adjust the after the fact fee based on substantial competent evidence that there are extenuating circumstances that warrant such an adjustment. The request for a fee adjustment shall be in writing at the time the application for a lot split is filed with the planning department. The adjusted after the fact fee shall not be less than the regular application fee.~~

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SECTION 7. That Chapter 118, "Administration and Review Procedures," Article VIII, "Procedure for Variance and Administrative Appeals," is hereby amended as follows:

Sec. 118-353. - Variance applications.

- (a) An application for a variance for the following items is prohibited: Floor area ratio, required parking (except as provided for in these land development regulations), a request pertaining to the reduction of an impact fee, lot area when determining floor area ratios, maximum number of stories, or any maximum building height variance greater than three feet. Any applicant requesting a public hearing on any application pursuant to this section shall pay, upon submission, the applicable fees in section 118-7. No application shall be considered complete until all requested information has been submitted and all applicable fees paid.

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Sec. 118-357. - Fees Reserved.

~~The fee schedule in this section is established for the purpose of defraying expenses of public notices, postage, printing, determining the impact of the request and other administrative costs in connection with variance requests pertaining to these land development regulations; when it is alleged there is an error in any administrative order, requirement, decision, or determination made by an administrative official in connection with these land development regulations; or a request for the board to clarify a condition, finding, or amend a decision.~~

~~(1) Variances, appeals from administrative decisions and signs:~~

- ~~a. For single family residences a filing fee as provided in appendix A plus a fee as provided in appendix A for each individual variance requested.~~
- ~~b. For multifamily, commercial, industrial or mixed use development properties a filing fee as provided in appendix A plus a fee as provided in appendix A for each individual variance requested.~~
- ~~c. For an appeal from an administrative decision there shall be a fee as provided in appendix A.~~
- ~~d. For signs there shall be a fee as provided in appendix A, plus a fee as provided in appendix A per request.~~
- ~~e. With the exception of variances associated with single family residences, the application fee shall be supplemented by an additional fee as provided in appendix A per mailing address.~~

~~(2) If a deferment is requested by the applicant, an additional fee shall be assessed as follows:~~

- ~~a. For single family residences there shall be a fee per variance as provided in appendix A.~~
- ~~b. For multifamily, commercial, industrial or mixed use development there shall be a fee per variance as provided in appendix A.~~
- ~~c. For an appeal from administrative decision there shall be a fee as provided in appendix A.~~
- ~~d. For signs there shall be a fee per variance or sign whichever is greater as provided in appendix A.~~

- ~~(3) If a request for a deferral is approved by the board of adjustment, and not at the request of an applicant, there will be no additional fee.~~
- ~~(4) When an applicant requests a clarification, extension of time, an amendment to a previous board of adjustment decision, or any other request that is not a variance or appeal of an administrative decision, a fee as provided in appendix A shall be assessed. Public notice requirements listed in section 118-134 shall be applied.~~
- ~~(5) If the applicant withdraws his application after it has been accepted by the planning, design and historic preservation division, the city shall refund 50 percent of all required fees and no further refund shall be made.~~
- ~~(6) A public hearing or appearance by the applicant before the board shall not be scheduled or permitted until the planning, design and historic preservation division has determined that the application is complete and all fees have been paid.~~
- ~~(7) After the fact variances shall automatically incur triple fees. Notwithstanding this provision, the board may adjust the after the fact fee based on substantial competent evidence that there are extenuating circumstances that warrant such an adjustment. The request for a fee adjustment shall be in writing and made part of the variance application. The adjusted after the fact fee shall not be less than the regular application fee.~~

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SECTION 8. That Chapter 118, "Administration and Review Procedures," Article IX, "Nonconformances," is hereby amended as follows:

~~Sec. 118-399. - Procedure for retention of illegally subdivided units, undersized units or illegally installed kitchens Reserved.~~

~~The following procedure is only applicable to zoning violation notices for buildings or structures which contain units which are illegally subdivided, units which have illegally installed kitchens and existing units which are below the minimum size established by the city. Units shall be defined as apartment units, hotel units and adult congregate living facility units.~~

- ~~(1) Options. Upon receiving a zoning violation notice relating to units which are illegally subdivided, units which have illegally installed kitchens and units which are below the minimum size established by the city the property owner shall appear before the code enforcement special master at the scheduled hearing and state which of the following actions the owner will take. If the owner fails to appear before the code enforcement special master at the scheduled hearing, prosecution of the violations shall start immediately. An owner may wish to voluntarily conform with this section by complying with the below procedures. The owner may either:~~
 - ~~a. Come into compliance with the parking, density and floor area regulations of these land development regulations with regard to these units and obtain a new certificate of occupancy or certificate of completion, whichever is appropriate, within six months from the date the zoning violation notice was received; or~~

~~b. Conform to the building or structure's approved floor plan on record with the city's building services department; or~~

~~c. Establish these units as legally nonconforming by:~~

- ~~1. Paying a fee as provided in appendix A, plus a processing fee as provided in appendix A per unit which is in violation to the planning, design, and historic preservation division; and~~
- ~~2. By bringing the building into compliance with the following codes and requirements within six months of the date the zoning violation notice was received:~~
 - ~~i. Owner must show affirmative proof that the building was purchased prior to September 30, 1987, or if at a subsequent date, the owner must submit proof and an affidavit to the effect that the conditions in the building existed prior to its purchase and prior to September 30, 1987.~~
 - ~~ii. These land development regulations, with the exception of parking, density and floor area regulations (owner must comply with all other land development regulations).~~

~~If the building is located within an historic district or historic site as defined in these land development regulations, all exterior and public interior improvements shall substantially meet the design criteria as listed in the secretary of interior's standards for rehabilitation and guidelines for rehabilitating historic structures, as amended, as well as the certificate of appropriateness criteria in Article X of these Land Development Regulations. Compliance with this requirement is to be determined by the planning department.~~

~~iii. The applicable Florida Building Code.~~

~~iv. Fire prevention and safety code.~~

~~v. Section 58-176 et seq., pertaining to property maintenance standards, and section 58-336 et seq., pertaining to rental housing.~~

~~vi. Owner must have paid and met all requirements with regard to permit and license fees.~~

~~vii. Owner must have no outstanding city liens on the property in question.~~

~~If the property owner does not comply with all of the above within six months of the date the zoning violation notice was received, the owner shall be prosecuted before the code enforcement special master for the existing violations.~~

- ~~(2) City administration procedures. The department of code compliance shall provide a monthly listing of all properties cited with the zoning violations in question to the affected departments. Each of the affected department heads shall send a written report to the planning and zoning director regarding the status of the building. The report shall be sent to the planning department upon compliance with the applicable code or requirement, or six months from the date of the zoning violation notice in question, whichever occurs first. The departments required to send a written report are as follows:~~

- a. ~~Fire department.~~
- b. ~~Department of code compliance.~~
- c. ~~Building services department.~~
- d. ~~Planning department.~~
- e. ~~Finance department, revenue division, lien section.~~

~~Upon receipt by the planning department from all affected departments that there are no existing violations on the subject property the planning department will notify the building official to correct the building card so that the illegally nonconforming units will now be legally nonconforming.~~

~~(3) Structures which are not eligible to use this procedure.~~

- a. ~~Buildings which are subject to the county unsafe structures board orders are not eligible to retain illegally nonconforming units under the option in subsection 118-399(1)c.~~
- b. ~~Units with less than 200 square feet per unit are not eligible to be retained under the option in subsection 118-399(1)c.~~
- c. ~~If compliance with this procedure would require the owner to make improvements totaling 50 percent or more of the value determination of the property if located north of Sixth Street or 50 percent or more of the county tax assessed value for properties in the redevelopment area, the owner will not be permitted to retain the illegally nonconforming units pursuant to the option in subsection 118-399(1)c.~~

~~(4) Subsequent renovations greater than 50 percent of value of structure or replacement value. If a building comes into compliance pursuant to the option in subsection 118-399(1)c. and subsequently the owner makes renovations totaling 50 percent or more of the value determination of the property if located north of Sixth Street or 50 percent or more of the replacement value for properties in the redevelopment area, the owner must bring the building into compliance with the density, parking and floor area regulations of these land development regulations and will not be able to retain the legally nonconforming units.~~

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SECTION 9. That Chapter 118, "Administration and Review Procedures," Article X, "Historic Preservation," Division 3, "Issuance of Certificate of Appropriateness/Certificate to Dig/Certificate of Appropriateness for Demolition," is hereby amended as follows:

Sec. 118-563. - Review procedure.

Any applicant requesting a public hearing on any application pursuant to this section shall pay, upon submission, the applicable fees in section 118-7. No application shall be considered complete until all requested information has been submitted and all applicable fees paid.

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- (h) In the event the applicant seeks a preliminary evaluation of a project from the board for information and guidance purposes only, an application for preliminary evaluation shall be required. The planning director, or designee, shall determine the supplemental documents and exhibits necessary and appropriate to complete an application for a preliminary evaluation; the required supplemental documents and exhibits shall serve to describe and illustrate the project proposed in the application in a manner sufficient to enable the board to provide general comments, feedback, information and guidance with respect to the application. Preliminary evaluations by the board shall be for informational purposes only; a preliminary evaluation by the board shall not constitute a binding approval, nor shall any comments, feedback, information or guidance provided by the board be binding upon the board during subsequent review of the preliminary application or a related final application. The board may provide general comment, feedback, information and guidance during the initial hearing on the application for preliminary evaluations, and may continue discussion on a preliminary evaluation to subsequent meetings in order for the applicant to further address any specific concerns raised by the board or staff, or may elect to terminate the preliminary evaluation process after providing general comments. All preliminary evaluations shall be subject to the noticing requirements provided in subsection 118-8. Preliminary evaluation applications shall not constitute a certificate of appropriateness approval, and therefore an applicant acquires no equitable estoppel rights or protections of any kind, type or nature based upon the filing of the preliminary evaluation application. The board will not issue an order either approving or denying a project or take any formal action on preliminary evaluation applications. Preliminary evaluations shall not entitle applicants to any of the benefits accorded to applicants who have received certificate of appropriateness approval, inclusive of appeals or rehearings. Except as used in this section, the use of the phrase "application" throughout this article refers to a completed application for approval and not to a preliminary evaluation application. ~~An applicant may withdraw an application for a preliminary evaluation at any time; provided, however, that no fee shall be refunded in the event the withdrawal is made after the giving of notice.~~

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Sec. 118-564. - Decisions on certificates of appropriateness.

Any applicant requesting a public hearing on any application pursuant to this section shall pay, upon submission, the applicable fees in section 118-7. No application shall be considered complete until all requested information has been submitted and all applicable fees paid.

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- (7) ~~Reserved. The fees in this subsection (f)(7) are for the purpose of defraying expenses of public notices and other administrative costs in connection with processing applications for a certificate of appropriateness and a certificate of appropriateness for demolition, including amendments for a certificate of appropriateness for demolition:~~
- ~~a. A fee as provided in appendix A for projects requiring board approval, and a fee as provided in appendix A for projects reviewed by staff. However, after the fact applications shall automatically incur triple fees.~~

- ~~1. Notwithstanding the above provision, the board may adjust the after the fact fee based on substantial competent evidence that there are extenuating circumstances that warrant such an adjustment. The request for a fee adjustment shall be in writing. The adjusted after the fact fee shall not be less than the regular application fee.~~
- ~~2. The request shall be:

 - ~~i. Part of the board application; or~~
 - ~~ii. A separate application requesting an adjustment to the after the fact fee for a staff level review.~~~~
- ~~3. If a request for an adjustment to the after the fact fee for a staff level review is submitted, there will be an additional fee as provided in appendix A to place the item on the board's agenda.~~
- ~~b. If an applicant withdraws the application prior to the date of the public hearing and requests a new hearing date, a new fee is required. The fee is to defray the costs of scheduling the new public hearing, to notify the property owners of the cancellation of the original public hearing and establishment of the revised hearing date.~~
- ~~c. If an applicant withdraws an application prior to an advertised public hearing, one-half of the fees paid shall be retained by the city.~~

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SECTION 10. That Chapter 118, "Administration and Review Procedures," Article X, "Historic Preservation," Division 4, "Designation," is hereby amended as follows:

Sec. 118-591. - Historic designation procedure.

Any applicant other than the city commission, a city board or other city official, requesting a public hearing on any application pursuant to this section shall pay, upon submission, the applicable fees in section 118-7. No application shall be considered complete until all requested information has been submitted and all applicable fees paid.

(a) Requests for designation.

- (1) Requests for designation of an individual historic site or district may be made to the historic preservation board by motion of the board, the city manager, by resolution of the planning board or city commission, by any property owner in respect to his own property, by a majority of property owners of record within a proposed district, by resolution of the county historic preservation board, or by resolution of any organization whose purpose is to promote the preservation of historic sites.
- (2) Proposals for designation shall include a completed application form available from the planning department.
- ~~(3) Fees for requests shall be as follows:

 - ~~a. A request initiated by any entity other than the city commission, a city board or other city official as set out in subsection 118-591(a)(1) for site designation shall include an application fee as provided in appendix A.~~~~

~~b. A request initiated by any entity other than the city commission, a city board or other city official as set out in subsection 118-591(a)(1) for district designation shall include an application fee per platted lot as provided in appendix A.~~

* * *

(g) Designation procedures initiated by owners of single-family homes in single-family districts. Notwithstanding the above, the following shall apply to any request by property owners for the individual designation of their single-family homes as historic structures:

* * *

(2) Public notice requirements. At least 30 days prior to the public hearing date for the subject designation, a description of the request with the time and place of the public hearing, shall be advertised in a paper of general paid circulation in the community.

(3) ~~Reserved. Fee. An application for the individual designation of a single family home shall not require a fee.~~

* * *

SECTION 11. That Chapter 138, "Signs," Article IV, "Temporary Signs," is hereby amended as follows:

Sec. 138-135. - Real estate signs—Single-family residential.

* * *

(e) Special conditions for these real estate signs shall be as follows:

* * *

(5) Each primary sign shall receive a permit from the license department, which shall charge a fee as set forth in appendix A per primary sign or at no cost if permit(s) is applied for and obtained online. There shall be no additional charge for strip or "open house" type signs.

Sec. 138-136. - Real estate signs—Multifamily, commercial, industrial, vacant land.

* * *

(e) Special conditions for these real estate signs shall be as follows:

* * *

(5) Each individual sign shall receive a permit from the license department which shall charge a fee per sign as provided in appendix A or at no cost if permit(s) is applied for and obtained online.

SECTION 12. That Chapter 142, "Zoning Districts and Regulations," Article II, "District Regulations," Division 2, "RS-1, RS-2, RS-3, RS-4 Single-Family Residential Districts," is hereby amended as follows:

Sec. 142-108. - Provisions for the demolition of single-family homes located outside of historic districts.

- (a) Criteria for the demolition of an architecturally significant home. Pursuant to a request for a permit for partial or total demolition of a home constructed prior to 1942, the planning director, or designee, shall; or independently may, make a determination whether the home is architecturally significant according to the following criteria:
- (1) The subject structure is characteristic of a specific architectural style constructed in the city prior to 1942, including, but not limited to, Vernacular, Mediterranean Revival, Art Deco, Streamline Moderne, or variations thereof.
 - (2) The exterior of the structure is recognizable as an example of its style and/or period, and its architectural design integrity has not been modified in a manner that cannot be reversed without unreasonable expense.
 - (3) Significant exterior architectural characteristics, features, or details of the subject structure remain intact.
 - (4) The subject structure embodies the scale, character and massing of the built context of its immediate area.

The date of construction shall be the date on which the original building permit for the existing structure was issued, according to the City of Miami Beach Building Permit Records. If no city building permit record exists, the date of construction shall be as determined by the Miami-Dade County Property Appraiser.

Any applicant requesting a determination as to the architectural significance of any single-family home constructed prior to 1942 shall pay upon submission all applicable fees in section 118-7. No application shall be considered complete until all requested information has been submitted and all applicable fees paid. Within ten days of posting any required notice, interested persons may submit information to the planning director to take into consideration in evaluating the application. The director shall file the determination with the city clerk no later than five (5) days after the decision is made.

~~All requests for a determination as to the architectural significance of any single-family home constructed prior to 1942 shall be in writing, signed by the property owner, stating specifically the reasons asserted for the requested determination and shall include a copy of the building card, current color photos of the home, and any microfilm on record, and two sets of mailing labels, with the names and addresses of all property owners of land located within 375 feet of the exterior boundary of the subject property, and an original certified letter stating that the ownership list and mailing labels are a complete and accurate representation of the real property and property owners within 375 feet of the subject property; such letter must be dated and give the address of the subject property and its legal description, subdivision and plat book number and page and state the source for this information. Within five days of the receipt of a request, the planning department shall post a notice on the subject site and notice shall be given by mail to the owners of record of land lying within 375 feet of the property; the mail notification requirement shall be the responsibility of the applicant and must be completed within~~

~~three days of the receipt of the notice. Within ten days of posting the notice, interested persons may submit information to the planning director to take into consideration in evaluating the request. The director shall file the decision with the city clerk.~~

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- (i) New construction procedures for single-family homes demolished without required approvals or permits. For those properties where a single-family home constructed before 1942 was demolished without prior approval of the planning department, the design review board or the single-family residential review panel, and without the required permits from the building official, in addition to any other applicable law in this Code or other codes, the following shall apply prior to the issuance of any building permit for any new construction on the subject site:

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~~(9) Fees. The fee schedule below is provided to defray the costs associated with the administration of this subsection. All applications to the design review board for the review of new construction as described herein shall require the following fees, upon the submission of an application to the planning department:~~

- ~~a. Any application requiring a hearing before the board for design review approval shall require a base fee plus a fee per square feet of floor area as provided in appendix A.~~
- ~~b. If a deferment or clarification hearing is requested by the applicant, an additional fee as provided in appendix A shall be assessed.~~
- ~~c. If a continuance or clarification of conditions is requested by the board, there will be no additional fee.~~
- ~~d. If the applicant removes a file from the agenda after it has been accepted by the planning department, the city shall retain 50 percent of the application fee.~~
- ~~e. Any after the fact application shall incur triple fees.~~
 - ~~1. Notwithstanding the above provision, the design review board may adjust the after the fact fee based on good cause shown. The request for a fee adjustment shall be in writing and shall be part of the design review board application. The adjusted after the fact fee shall not be less than the regular application fee.~~
 - ~~2. The request shall be part of the design review board application.~~
- ~~f. Revisions to plans previously approved by the board shall require a base fee as provided in appendix A plus one half of the original fee.~~

SECTION 13. CODIFICATION.

It is the intention of the Mayor and City Commission of the City of Miami Beach, and it is hereby ordained that the provisions of this ordinance shall become and be made part of the Code of the City of Miami Beach, Florida. The sections of this ordinance may be renumbered or relettered to accomplish such intention, and the word "ordinance" may be changed to "section", "article", or other appropriate word.

SECTION 14. REPEALER.

All ordinances or part of ordinances in conflict herewith be and the same are hereby repealed.

SECTION 15. SEVERABILITY.

If any section, subsection, clause or provision of this Ordinance is held invalid, the remainder shall not be affected by such invalidity.

SECTION 16. EFFECTIVE DATE.

This Ordinance shall take on April 1, 2016 following adoption.

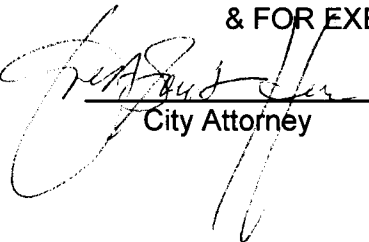
PASSED and ADOPTED this ____ day of _____, 2015.

Philip Levine, Mayor

ATTEST:

Rafael E. Granado, City Clerk

APPROVED AS TO
FORM AND LANGUAGE
& FOR EXECUTION

 10-12-2015

City Attorney Date

First Reading: October __, 2015

Second Reading: October __, 2015

Verified by: _____
Thomas R. Mooney, AICP
Planning Director

Underscore denotes new language
~~Strikethrough~~ denotes deleted language

[Sponsored by Commissioner Joy Malakoff]

LAND DEVELOPMENT AND PERMITTING FEES

ORDINANCE NO. _____

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE CODE OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING APPENDIX A, "FEE SCHEDULE" TO REVISE BUILDING, FIRE, PLANNING, AND PUBLIC WORKS FEES CHARGED FOR SERVICES RELATED TO LAND DEVELOPMENT AND PERMITTING; PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

WHEREAS, the City of Miami Beach has the authority to enact laws which promote the public health, safety and general welfare of its citizens; and

WHEREAS, the City Code of Ordinances contains fees for development review, permitting, and other services to cover the costs of implementing the regulations contained therein; and

WHEREAS, the City Administration has reviewed the structure of fees associated with land development and permit review and determined a more efficient, effective and transparent way to assess fees for these services is necessary; and

WHEREAS, in an effort to align revenues to the incurred costs of review for land development and permitting services a modification to the fees assessed for such services is warranted; and

WHEREAS, the amendments set forth below are necessary to accomplish the above objectives.

NOW THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA:

SECTION 1.

That Appendix A "Fee Schedule", is hereby amended as attached in "Exhibit A."

SECTION 2. REPEALER.

All ordinances or parts of ordinances and all section and parts of sections in conflict herewith be and the same are hereby repealed.

SECTION 3. CODIFICATION.

It is the intention of the City Commission, and it is hereby ordained that the provisions of this ordinance shall become and be made part of the Code of the City of Miami Beach as amended; that the sections of this ordinance may be renumbered or relettered to accomplish

such intention; and that the word "ordinance" may be changed to "section" or other appropriate word.

SECTION 4. SEVERABILITY.

If any section, subsection, clause or provision of this Ordinance is held invalid, the remainder shall not be affected by such invalidity.

SECTION 5. EFFECTIVE DATE.

This Ordinance shall take effect on April 1, 2015 following adoption.

PASSED and ADOPTED this _____ day of _____, 2015.

ATTEST:

Philip Levine, Mayor

Rafael E. Granado, City Clerk

APPROVED AS TO
FORM AND LANGUAGE
& FOR EXECUTION

City Attorney

Date

First Reading:
Second Reading:

Underscore denotes new language
~~Strikethrough~~ denotes deleted language

[Sponsored by Commissioner Joy Malakoff]

“EXHIBIT A”

APPENDIX A - FEE SCHEDULE

FEE SCHEDULE

This appendix includes all fees and charges established by the city commission that are referred to in the indicated sections of the Code of Ordinances:

Section this Code	Description	Amount
	Subpart A. General Ordinances	
	Chapter 2. Administration	
	Article V. Finance	
2-277	Fee for dishonored checks	\$20.00
	Or 5% of face amount of check	
	Article VII. Standards of Conduct	
	Division 3. Lobbyists	
2-482(a)	Registration fee	25.00
2-482(f)	Biennial registration	125.00
	Chapter 6. Alcoholic Beverages	
	Article I. In General	
6-2(a)	Service charge for review of application for license	65.00
	Chapter 14. Building Regulations Part I	

	Article II. Construction Standards	
	Division 1. Generally	
14-33(b)	Delinquency penalty for violation of article:	
	First month, 10%	
	Subsequent months, 5%	
14-37	Hearing requested by aggrieved owner/applicant for denial of certificate of use, determination of fees/penalties due, and/or warning of potential suspension/revocation	75.00

Section this Code	Description	Amount (Effective June 2, 2014)
	Division 2. Permit Fees	
14-61(b)	Double fees for starting work prior to issuance of permit, plus the following penalty:	
	First offense	\$120.00 <u>100.00</u>
	Second offense	239.00 250.00
	Subsequent offenses	597.00 <u>1,000.00</u>
14-61(c)(1)	Reinspection fee:	
	In compliance with F.S § 553.80(2)(c), any subsequent reinspection after	

	the first reinspection shall be charged four times the cost of first inspection or first reinspection, whichever is greater. The cost of inspections is calculated based on the actual time spent by the inspector multiplied by the inspection fee hourly rate, as specified in subsection 14-61(g h). The actual time of inspection is rounded up to the next quarter hour. segment .	
	First reinspection	0.00
	Second and subsequent reinspection(s): Based on four times the cost of first inspection or first reinspection, whichever is greater <u>at a rate pursuant to 14-61 (g)</u>	
	Reinspection of existing building to determine compliance with the applicable Building Code: Based on four times the cost of first inspection or first reinspection, whichever is greater. <u>The cost of inspections is calculated based on the actual time spent by the inspector multiplied by the inspection fee hourly rate, as specified in subsection 14-61(g). The actual time of inspection is rounded up to the hour.</u>	
14-61(d)	Lost plans fee:	
	Administrative processing fee	50.00
	Plus the cost per page reproduced:	
	• Letter (8½ × 11), Legal (8½ × 14), <u>single sided, per page</u> and Ledger (11 × 17)	1.04 <u>.15</u>
	• <u>Letter (8 ½ x 11), Legal (8 ½ x 14), double sided, per page</u>	<u>.20</u>
	• <u>Certified documents (letter or legal)</u>	<u>1.00</u>
	<u>Documents on Compact Discs (CDs)</u>	<u>3.00</u>
	<u>Reproduction of documents beyond legal</u>	<u>At cost to City</u>
	<u>• Arch D (24 × 36) and Arch E (36 × 48)</u>	<u>2.29</u>
	• <u>Other copies, up to legal size</u>	0.016

14-61(e)	Revised plans processing fee:	
	<u>Commercial minor revisions 1 to 5 pages</u>	<u>200.00</u>
	<u>Commercial major revisions 6 to 30 pages</u>	<u>500.00</u>
	<u>Commercial total revision 31+ pages</u>	<u>50% of Original Permit Fee</u>
	<u>Residential minor revision 1 to 5 pages</u>	<u>100.00</u>
	<u>Residential major revision 6 to 15 pages</u>	<u>200.00</u>
	<u>Residential total revision 16+ pages</u>	<u>50% of Original Permit Fee</u>
	Administrative processing fee	50.00
14-61(f)	Lost permit card. <u>Fee per required signature</u>	78.00 <u>80.00</u>
14-61(g)	Plans review and inspection <u>Inspection</u> fee hourly rate	
	The plan review and inspection fee hourly rate is calculated at the beginning of each fiscal year based on the department's approved budget, overhead and indirect costs and the resources assigned to the inspection program.	
14-61(h)	Dedicated inspectors: The requester will pay for the dedicated inspector in addition to the regular permit fee. The fee for the dedicated inspector is based on actual time spent on inspection multiplied by the dedicated inspector's cost to the city or the inspection fee hourly rate, as specified in subsection 14-61(g), whichever is greater.	
14-61(hi)	Plans re-review fee:	
	First and second re-review	0.00
	<u>Plans re-review fee. Pursuant to the Florida Building Commission, and in</u>	

	<p><u>compliance with F.S. § 553.80(2) (b), when extra plans reviews are due to the failure to correct code violations specifically and continuously noted in each rejection, each time after the third such review that plans are rejected for the same code violation, a fee of four times the amount of the proportion of the permit fee shall be attributed to plans review.</u></p> <p>Third and subsequent re-reviews: Based on four times the amount of the upfront fee as specified in subsection 14-62(a) in compliance with F.S. § 553.80(2)(b), any subsequent re-reviews after the third review shall be charged a fee four times the amount of the proportion of the permit fee attributed to the plans review. The fee for plans review is calculated based on the actual time spent by the plans reviewer multiplied by the plans review hourly rate, as specified in subsection 14-61(g).</p>	
14-61(ij)	Expedited plan review and inspection fee: Upon request from the applicant, the department may schedule an expedited plans review or inspection on an overtime basis by department staff. Fee for each review or inspection requested.	250.00
	Express plan review – Available for first review only: Percent of building permit fee line item	50%
14-61n(p)	Phase permits:	
	Commercial new construction	2,000.00
	Commercial alteration	1,500.00
	Residential new construction	1,000.00
14-62(a)	Up-front processing fee: Percent of estimated permit fee or the minimum processing fee, whichever is greater.	
	Percent of estimated permit fee rounded up to the nearest \$5.00 increment	20%

	Minimum up-front fee	50.00
14-62(b)(4) b.2.	Change of contractor	100.00
14-62(b)(5)(4) b.2.a	Change of architect or engineer	100.00
14-62(b)(6)	One time request for building permit extension (permit must not be expired)	100.00
14-62(b)(6)	Additional request for building permit extension (permit must not be expired): Percent of building permit fee line item	100%
<u>14-62(b)(7)</u>	<u>New or renewed permits for expired, revoked and nullified or voided permits</u>	<u>25% of original permit fee</u>
<u>14-62(b)(7)</u>	<u>Processing fee</u>	<u>100.00</u>
14-62(c)	Building permit fees:	
	Minimum permit fee	100.00
	Commercial Permit Fees for Building Permits:	
	Permit fee for a building whose estimated construction cost is equal to or less than \$30 million is 2.0% of the cost of construction as approved by the Building Official or his designee, plus 1.0% of the construction cost for any amount over \$30 million as approved by the Building Official or his designee.	
	Residential Permit Fees for Building Permits	
	Residential: Single-family, Duplex: Permit fee for a building whose estimated construction cost is equal to or less than \$1 million is 1.8% of the cost of construction as approved by the Building Official or his designee, plus 1.0% of the construction cost for any amount over \$1 million as approved by the Building Official or his designee.	
	Temporary and Special Event Fees	

	Temporary platforms for public assembly, first approval	104.00
	Temporary bleachers for public assembly, first approval	95.00
	Temporary platforms or bleachers for public assembly, re-approval	20.00
	Tents excluding electric and plumbing, per tent	
	• Up to 1,000 square feet	104.00
	• Each additional 1,000 square feet over 1,000	28.00
	Temporary structure/trusses/statues (no electrical or plumbing included)	104.00
	Temporary chiller	462.00
	Temporary generator	237.00
	Construction trailer, per trailer	568.00
	Office trailer, per trailer	686.00
	Temporary power for construction	225.00
	Temporary power for test	189.00
	Temporary multi-seat toilet trailer, per trailer	80.00
	Temporary individual toilet, per event	17.00
	Amusement rides	60.00
	Temporary electric work on circuses, carnivals, per show	312.00
	Temporary fencing	150.00
	Electrical installation - Small events (1—10 tents, bleachers, stages and other structures)	250.00
	Electrical installation - Large events (more than 10 tents, bleachers, stages	500.00

	and other structures)	
	Mechanical installation - Small events (1—10 tents, bleachers, stages and other structures)	250.00
	Mechanical installation - Large events (more than 10 tents, bleachers, stages and other structures)	500.00
	Plumbing installation - Small events (1—10 tents, bleachers, stages and other structures)	250.00
	Plumbing installation - Large events (more than 10 tents, bleachers, stages and other structures)	500.00
14-63	Plumbing permit fees:	
	Minimum plumbing permit fee	100.00
	This minimum does not apply to permits issued as supplementary to current outstanding permits for the same job.	
	Commercial Permit Fees for Plumbing Permits	
	Permit fee for a building whose estimated construction cost is equal to or less than \$30 million is 2.0% of the cost of construction as approved by the Building Official or his designee, plus 1.0% of the construction cost for any amount over \$30 million as approved by the Building Official or his designee.	
	Residential Permit Fees for Plumbing Permits	
	Residential: Single-family, Duplex: Permit fee for a building whose estimated construction cost is equal to or less than \$1 million is 1.8% of the cost of construction as approved by the Building Official or his designee, plus 1.0% of the construction cost for any amount over \$1 million as approved by the Building Official or his designee.	
14-64	Electrical permit fees:	
	Minimum electrical permit fee: This minimum does not apply to permits issued as supplementary to current outstanding permits for the same job.	100.00

	Commercial Permit Fees for Electrical Permits	
	Permit fee for a building whose estimated construction cost is equal to or less than \$30 million is 2.0% of the cost of construction as approved by the Building Official or his designee, plus 1.0% of the construction cost for any amount over \$30 million as approved by the Building Official or his designee.	
	Residential Permit Fees for Electrical Permits	
	Residential: Single-family, Duplex: Permit fee for a building whose estimated construction cost is equal to or less than \$1 million is 1.8% of the cost of construction as approved by the Building Official or his designee, plus 1.0% of the construction cost for any amount over \$1 million as approved by the Building Official or his designee.	
14-65	Mechanical permit fees:	
	Minimum mechanical permit fee. This minimum does not apply to permits issued as supplementary to current outstanding permits for the same job.	100.00
	Commercial Permit Fees for Mechanical Permits	
	Permit fee for a building whose estimated construction cost is equal to or less than \$30 million is 2.0% of the cost of construction as approved by the Building Official or his designee, plus 1.0% of the construction cost for any amount over \$30 million as approved by the Building Official or his designee.	
	Residential Permit Fees for Mechanical Permits	
	Residential: Single-family, Duplex: Permit fee for a building whose estimated construction cost is equal to or less than \$1 million is 1.8% of the cost of construction as approved by the Building Official or his designee, plus 1.0% of the construction cost for any amount over \$1 million as approved by the Building Official or his designee.	
	Smoke control test	
	• Up to 10,000 square feet	208.00

		<u>200.00</u>
	• 10,000 to 50,000 square feet	708.00 <u>500.00</u>
	• Over 50,000 square feet	1,063.00 <u>1,000.00</u>
	Elevators, escalators and other lifting apparatus:	
	Permit for new installation or major revamping per ASME A17.1 Section 8.7 Building permit required (includes initial inspection and certificate).	
	Installation of traction elevators and escalators, per unit	
	• Up to three stories	2,218.00
	• 3—10 stories	2,705.00
	• Each additional story over 10	84.00
	Installation of hydraulic elevator, per unit	
	• Up to three stories	1,154.00
	• 3—10 stories	1,468.00
	Installation of escalator, per unit	2,158.00
	Installation of parking lifts, per unit	200.00
	Installation of robotic parking, per apparatus	3,000.00
	Installation of residential elevator, per unit	1,213.00
	Installation of wheelchair lift, chair stairs and dumbwaiter	976.00
	Elevator Repair and Maintenance	

	Annual maintenance repair permit (not to include major revamping)	602.00
	Repairs (value over \$5,000.00) per ASME 17.1, Section 8.62	633.00
	Repairs (jack/oil lines) up to \$5,000.00	250.00
	Repairs (can interior/other) up to \$5,000.00	250.00
	Roof window cleaning machine, each machine	108.00
	Permit for removal of elevator from service	570.00
	Elevator tests, temporary use, variances and compliance inspections:	
	Emergency power test	1,084.00
	Elevator fire recall test, per unit	1,022.00
	Temporary use permit (must be renewed every 30 days)	1,317.00
	Temporary use renewal	100.00
	Application for variances from codes to install or modernize equipment	519.00
	Annual fees for certificate of operation and inspection	
	Certificate of operation for each unit (mandated)	75.00
	Renewal of delinquent certificate of operation	100.00
	Duplicate certificate of operation (mandated)	25.00
	Dumbwaiters, elevators and escalators — Certificate and inspection:	
	Monitoring/jurisdictional fee	200.00
	Reinspection fee, each reinspection	104.00
	Witnessing of 1-year tests per ASME A17.1, part X, section 1000, rule 1000.1b	208.00

	Witnessing of 5-year tests per ASME A17.1, Part X, section 1000, rule 1000.1b	260.00
	Compliance inspection if witnessed test failed, per inspection	104.00
	Any elevator, escalator, etc., owner who fails to comply with the order to correct a violation issued within 30 days, is subject to an administrative fine up to \$500.00 in addition to any other penalty provided by law. Fines can be imposed for every 30-day period that the violation remains active.	
	These fines, before or after paid, can be appealed to the department director whose decision shall be final. No clearance for the use of the elevator shall be given until these fines have been paid or waived.	
	Boilers and pressure vessels, installation permit fees, including initial inspections and certificate; does not include installation or connection of fuel and water lines:	
	Boilers (as defined in the ASME Boiler and Pressure Vessel Code):	
	Annual inspection for boilers	260.00
14-66(1)	Certificate of occupancy fees:	
	Residential units R-1, R-2, and R-3, per unit	110.00
	All commercial occupancies except R-1 and R-2, per square foot	0.05
	Minimum fee for commercial certificates of occupancy	250.00
	When a temporary certificate of occupancy or completion has been issued and the fee has been paid, the fee for a final certificate of occupancy or completion	0.00
14-66(1)	Temporary certificate of occupancy or completion fees:	
	100 percent of final certificate of occupancy or completion fee plus the cost of any additional required inspections. Additional required inspections will be charge based on actual time spent on inspection multiplied by the hourly rate, as specified in section 14-61(h).	

	Extension of temporary certificate of occupancy or completion, per period as set by the building official. Percent of final certificate of occupancy or completion fee:	100%
14-66(1)	Certificate of completion fees:	
	Certificate of completion fees for <u>residential</u> reconfiguration of space are the same as certificate of occupancy fees per section 14-66(1)a.	<u>100.00</u>
	<u>Certificate of completion fees for commercial</u> Minimum fee for commercial certificates of completion	250.00
	Swimming pool	237.00
	Kitchen/bath	79.00
	Generator	168.00
	Docks/seawalls	237.00
	A/C units and cooling towers per permit	188.00
	All other certificates of completion, minimum fee	188.00
14-66(3)g.	Certificate of use fees:	
	Apartments, including condominiums:	
	3—50 units	52.50
	Each additional unit over 50	1.50
	Hotel, motel and roominghouses:	
	3—50 units	52.50
	Each additional unit over 50	1.50
	Retail, wholesale, storage, manufacturing, garages, office, miscellaneous:	
	Up to 5,000 square feet	52.50

	Over 5,000-square feet	105.00
	Open areas (parking lots, boat sales, and auto sales), flat fee	52.50
	Restaurants (bars, lounges):	
	First 60 seats	52.50
	Each additional 20 seats	15.00
	Adult congregate living facilities, nursing homes, hospitals, convalescent homes, etc.:	
	Up to 50 beds	60.00
	Each additional bed over 50	1.50
	Day care centers, nursery schools, private schools	60.00
	Theatres:	
	Up to 500 seats	52.50
	Over 500 seats	105.00
	Church, synagogue, temple	52.50
	Municipal buildings, county, state, and federal facilities and public schools, etc., are exempt	
	Marinas (marine dockage):	
	3 to 15 boatslips	52.50
	16 to 50 boatslips	75.00
	Each additional boatslip over 50	1.50
14-67.1	Reinspection of existing building to determine compliance with the applicable building code: Based on actual time spent on inspection multiplied by the inspection fee hourly rate, as specified in subsection 14-	

	61(g)-	
	Forty-year recertification program fee:	
14-67(a)	Per building	600.00
	Building official approval of 6-month extension for building recertifications	600.00
14-67(b)(e)	Late compliance fee, regular fee, plus	260.00
<u>14-67(c)</u>	New inspection report fee if recertification not completed within 90 days of building's being declared unsafe.	312.00
14-67.2 <u>14-69</u>	Employee training, education, safety, and technology procurement and implementation for service enhancement surcharge is 6 percent of each and every permit fee	
14-70	Other general fees	
14-70(1)	Pursuant to Florida Statutes § 553.721, in order for the department of business and professional regulation to administer the Florida Building Code, there is created a surcharge to be assessed at the rate of 1.5 percent of the permit fee associated with enforcement of the Florida Building Code. The minimum amount collected on any permit issued shall be \$2.00.	
14-70(2)	Pursuant to Miami-Dade County Ordinance 8-12(e), a surcharge to building permits for county code compliance program, per \$1,000.00 of work valuation	0.60
14-70(3)	Pursuant to Florida Statutes § 468.631, the building code administrator's and inspector's fund shall be funded through a surcharge to be assessed at the rate of 1.5 percent of all permit fees associated with enforcement of the Florida Building Code. The minimum amount collected on any permit issued shall be \$2.00.	
14-70(7) <u>14-70(5)</u>	Sanitation surcharge for all building, electrical, plumbing, mechanical demolition permits, 0.30 percent of estimated cost of project:	
	Minimum	15.00

	Maximum	1,500.00
<u>14-70(6)</u>	<u>A separate fire safety, public works and/or zoning review fee associated with the building permit process shall be charged as outlined in appendix A. See applicable department fee sections.</u>	
<u>14-72(1)</u>	<u>Interest and collection fees shall be charged for unpaid amounts (fees) due.</u>	
<u>14-72(2)</u>	<u>Documents. Requests for copies of building department records, inspection reports, logs, or similar documents maintained by the building department will be charged a fee as specified in 14-61(d) of appendix A</u>	

	<u>Planning Fees Associated with the Building Permit Process</u>	
<u>15-31(a)</u>	<u>Planning review fee for a commercial building permit shall be assessed at .70% of the cost of construction.</u>	
<u>15-31(a)</u>	<u>Planning review fee for a residential building permit shall be assessed at .50% of the cost of construction.</u>	
<u>15-31 (b)</u>	<u>Double Fees for work prior to issuance of permit, plus penalties shall be consistent with 14-61(b)</u>	
<u>15-31(c)(1)</u>	<u>Reinspection fees shall be consistent with 14-61(c)(1)</u>	
<u>15-31(d)</u>	<u>Lost Plans fee shall be consistent with 14-61(d). Planning shall not assess administrative processing fee</u>	
<u>15-31(e)</u>	<u>Revised Plans Review fee shall be consistent with 14-61(e)</u>	
<u>15-31(f)</u>	<u>Lost Permit Card fee shall be consistent with 14-61(f)</u>	
<u>15-31(g)</u>	<u>Inspection Fee hourly rate. As determined by the department at the beginning of each fiscal year</u>	
<u>15-31(i)</u>	<u>Expedited plans review and inspections in addition to all applicable fees</u>	
	<u>Expedited plans review (not to exceed 4 hours)</u>	<u>500.00</u>
	<u>Expedited inspection</u>	<u>150.00</u>
<u>15-31(l)</u>	<u>Annual Adjustment of rates. The rates pertaining to this division will administratively adjusted annually to reflect increase(s) or decrease(s) in the Consumer Price Index for all urban consumers, CPI-U</u>	
<u>15-31(n)</u>	<u>Phased Permit</u> <u>If department review of Phase Permit application is required, a fee consistent with 14-61(e) shall be assessed.</u>	
<u>15-32(a)(1),(2)</u>	<u>Upfront Fee shall be consistent with 14-62(a)</u>	

<u>15-32(b)</u>	<u>Refunds, time limitations, cancellations, change of contractors shall be processed and fees assessed consistent with 14-62(b)(4),(5),(6),(7)</u>	
15-32	Cost per 100 square feet based on occupancy type. Samples of occupancy types are provided for illustrative purposes only and are not inclusive of all uses within each occupancy type. The fee is calculated based on the total square footage multiplied by the rate per square foot, in 100 square foot intervals, as specified below:	
	A-1, Assembly—Fixed seating (theater, concert hall)	
	▲ Up to 3,000 square feet	45.74
	▲ From 3,001 square feet to 5,000 square feet, above fee plus	7.73
	▲ From 5,001 square feet to 50,000 square feet, above fee plus	1.51
	A-1, Alteration/Remodeling	
	▲ Up to 3,000 square feet	19.00
	▲ From 3,001 square feet to 5,000 square feet, above fee plus	3.16
	▲ From 5,001 square feet to 50,000 square feet, above fee plus	0.58
	A-2, Assembly—Food and drink (restaurant, night club, bar)	
	▲ Up to 350 square feet	101.25
	▲ From 350 square feet to 1,750 square feet, above fee plus	50.71
	▲ From 1,751 square feet to 3,500 square feet, above fee plus	36.95
	▲ From 3,501 square feet to 17,500 square feet, above fee plus	8.85
	▲ From 17,501 square feet to 50,000 square feet, above fee plus	6.33
	A-2, Alteration/Remodeling	
	▲ Up to 350 square feet	62.18

	▲ From 350 square feet to 1,750 square feet, above fee plus	30.85
	▲ From 1,751 square feet to 3,500 square feet, above fee plus	22.17
	▲ From 3,501 square feet to 17,500 square feet, above fee plus	5.01
	▲ From 17,501 square feet to 50,000 square feet, above fee plus	5.01
	A-3, Assembly (worship, amusement, arcade, community hall)	
	▲ Up to 1,000 square feet	90.57
	▲ From 1,001 square feet to 5,000 square feet, above fee plus	31.56
	▲ From 5,001 square feet to 50,000 square feet, above fee plus	4.33
	A-3, Alteration/Remodeling	
	▲ Up to 1,000 square feet	39.95
	▲ From 1,001 square feet to 5,000 square feet, above fee plus	13.76
	▲ From 5,001 square feet to 50,000 square feet, above fee plus	1.75
	B, Business	
	▲ Up to 500 square feet	136.02
	▲ From 501 square feet to 2,500 square feet, above fee plus	89.31
	▲ From 2,501 square feet to 25,000 square feet, above fee plus	9.83
	▲ From 25,001 square feet to 50,000 square feet, above fee plus	7.05
	B, Alteration/Remodeling	
	▲ Up to 500 square feet	52.78
	▲ From 501 square feet to 2,500 square feet, above fee plus	34.29

	▲ From 2,501 square feet to 25,000 square feet, above fee plus	3.51
	▲ From 25,001 square feet to 50,000 square feet, above fee plus	3.51
	D/E, Day care and educational	
	▲ Up to 3,000 square feet	51.04
	▲ From 3,001 square feet to 15,000 square feet, above fee plus	15.99
	▲ From 15,001 square feet to 50,000 square feet, above fee plus	2.27
	D/E, Alteration/Remodeling	
	▲ Up to 3,000 square feet	16.60
	▲ From 3,001 square feet to 15,000 square feet, above fee plus	10.34
	▲ From 15,001 square feet to 50,000 square feet, above fee plus	5.85
	I-1, Institutional (ambulatory)	
	▲ Up to 1,500 square feet	60.48
	▲ From 1,501 square feet to 7,500 square feet, above fee plus	25.95
	▲ From 7,501 square feet to 50,000 square feet, above fee plus	3.32
	I-1, Alteration/Remodeling	
	▲ Up to 1,500 square feet	23.49
	▲ From 1,501 square feet to 7,500 square feet, above fee plus	9.96
	▲ From 7,501 square feet to 50,000 square feet, above fee plus	1.17
	I-2, Institutional (nonambulatory)	
	▲ Up to 4,500 square feet	66.11

	▲ From 4,501 square feet to 22,500 square feet, above fee plus	9.04
	▲ From 22,501 square feet to 50,000 square feet, above fee plus	1.78
	I-2, Alteration/Remodeling	
	▲ Up to 4,500 square feet	13.43
	▲ From 4,501 square feet to 22,500 square feet, above fee plus	1.65
	▲ From 22,501 square feet to 50,000 square feet, above fee plus	0.18
	M, Mercantile (department store or drug store)	
	▲ Up to 1,000 square feet	59.88
	▲ From 1,001 square feet to 5,000 square feet, above fee plus	39.22
	▲ From 5,001 square feet to 50,000 square feet, above fee plus	4.33
	M, Mercantile (department store or drug store), Alteration/Remodeling	
	▲ Up to 1,000 square feet	59.88
	▲ From 1,001 square feet to 5,000 square feet, above fee plus	39.22
	▲ From 5,001 square feet to 50,000 square feet, above fee plus	4.33
	M, Mercantile (gas station)	
	▲ Up to 400 square feet	93.24
	▲ From 401 square feet to 2,000 square feet, above fee plus	106.94
	▲ From 2,001 square feet to 20,000 square feet, above fee plus	10.47
	▲ From 20,001 square feet to 50,000 square feet, above fee plus	7.51
	M, Mercantile (gas station) Alteration/Remodeling	

	▲ Up to 400 square feet	93.24
	▲ From 401 square feet to 2,000 square feet, above fee plus	106.94
	▲ From 2,001 square feet to 20,001 square feet, above fee plus	10.47
	▲ From 20,001 square feet to 50,000 square feet, above fee plus	7.51
	M, Mercantile (retail or wholesale)	
	▲ Up to 1,500 square feet	43.67
	▲ From 1,501 square feet to 7,500 square feet, above fee plus	40.41
	▲ From 7,501 square feet to 50,000 square feet, above fee plus	4.15
	M, Mercantile (retail or wholesale), Alteration/Remodeling	
	▲ Up to 1,500 square feet	43.67
	▲ From 1,501 square feet to 7,500 square feet, above fee plus	40.41
	▲ From 7,501 square feet to 50,000 square feet, above fee plus	4.15
	R-1, Residential—Transient (boarding house, hotel, motel)	
	▲ Up to 2,000 square feet	73.93
	▲ From 2,001 square feet to 10,000 square feet, above fee plus	19.77
	▲ From 10,001 square feet to 50,000 square feet, above fee plus	2.52
	R-1, Alteration/Remodeling	
	▲ Up to 2,000 square feet	21.28
	▲ From 2,001 square feet to 10,000 square feet, above fee plus	5.69
	▲ From 10,001 square feet to 50,000 square feet, above fee plus	0.73

	R-2, Residential—Permanent (apartment, dormitory, timeshare)	
	▲ Up to 600 square feet	103.18
	▲ From 601 square feet to 3,000 square feet, above fee plus	101.68
	▲ From 3,001 square feet to 30,000 square feet, above fee plus	8.39
	▲ From 30,001 square feet to 50,000 square feet, above fee plus	5.84
	R-2, Alteration/Remodeling	
	▲ Up to 600 square feet	18.40
	▲ From 601 square feet to 3,000 square feet, above fee plus	17.14
	▲ From 3,001 square feet to 30,000 square feet, above fee plus	0.51
	▲ From 30,001 square feet to 50,000 square feet, above fee plus	0.51
	R-3, Residential—Permanent (dwellings, custom homes)	
	▲ Up to 1,500 square feet	81.15
	▲ From 1,501 square feet to 2,500 square feet, above fee plus	90.88
	▲ From 2,501 square feet to 10,000 square feet, above fee plus	10.87
	▲ From 10,001 square feet to 50,000 square feet, above fee plus	19.15
	R-3, Alteration/Remodeling	
	▲ Up to 1,500 square feet	15.78
	▲ From 1,501 square feet to 2,500 square feet, above fee plus	15.82
	▲ From 2,501 square feet to 10,000 square feet, above fee plus	0.26
	▲ From 10,001 square feet to 50,000 square feet, above fee plus	0.26

	R-4, Residential—Assisted living (6—16 persons)	
	▲ Up to 1,500 square feet	79.75
	▲ From 1,501 square feet to 7,500 square feet, above fee plus	23.02
	▲ From 7,501 square feet to 50,000 square feet, above fee plus	2.83
	R-4, Alteration/Remodeling	
	▲ Up to 1,500 square feet	24.38
	▲ From 1,501 square feet to 7,500 square feet, above fee plus	7.04
	▲ From 7,501 square feet to 50,000 square feet, above fee plus	0.86
	S-1, Storage—Moderate hazard (repair garage)	
	▲ Up to 500 square feet	94.94
	▲ From 501 square feet to 2,500 square feet, above fee plus	24.56
	▲ From 2,501 square feet to 5,000 square feet, above fee plus	17.55
	▲ From 5,001 square feet to 25,000 square feet, above fee plus	4.27
	▲ From 25,001 square feet to 50,000 square feet, above fee plus	2.97
	S-1, Alteration/Remodeling	
	▲ Up to 500 square feet	57.42
	▲ From 501 square feet to 2,500 square feet, above fee plus	14.96
	▲ From 2,501 square feet to 5,000 square feet, above fee plus	17.06
	▲ From 5,001 square feet to 25,000 square feet, above fee plus	2.59
	▲ From 25,001 square feet to 50,000 square feet, above fee plus	2.59

	S-2, Storage—Low hazard (excluding parking garage)	
	▲ Up to 1,000 square feet	95.56
	▲ From 1,001 square feet to 5,000 square feet, above fee plus	37.30
	▲ From 5,001 square feet to 50,000 square feet, above fee plus	4.03
	S-2, Storage—Low hazard (excluding parking garage), Alteration/Remodeling	
	▲ Up to 1,000 square feet	95.56
	▲ From 1,001 square feet to 5,000 square feet, above fee plus	37.30
	▲ From 5,001 square feet to 50,000 square feet, above fee plus	4.03
	S-2, Storage—Parking garage	
	▲ Up to 15,000 square feet	18.19
	▲ From 15,001 square feet to 50,000 square feet, above fee plus	0.32
	S-2, Storage—Parking garage Alteration/Remodeling	
	▲ Up to 15,000 square feet	18.19
	▲ From 15,001 square feet to 50,000 square feet, above fee plus	0.32
	All other occupancy types, including, but not limited to: A, Assembly; B, Business; D, Day care; E, Educational; and M, Mercantile (department store, drug store, gas station)	3.95
	Specialty permits	
	Communication equipment enclosure	
	▲ Without transfer switch and receptacle	56.00
	▲ With transfer switch and receptacle	56.00

	Generators/solar systems	
	Generators—Single-family	49.00
	Generators—Commercial	
	▲ up to 50,000 sq. ft.	176.00
	▲ Above 50,000 sq. ft.	176.00
	Solar (photovoltaic)/alternate power systems—Single-family	6.00
	Solar (photovoltaic)/alternate power systems—Commercial/multifamily	11.00
	Transfer switch for future generator (per unit)	5.00
	Solar water heater	4.15
	Swimming pools	
	New swimming pools/spa and fountains: Residential under 1,000 gallons including equipment	106.81
	New swimming pools/spa and fountains: Residential, 1,001—25,000 total gallons including equipment	169.03
	New swimming pools/spa and fountains: Residential, over 25,000 total gallons including equipment	110.96
	Swimming pool renovation residential (nonstructural) including equipment	108.89
	New fountains—Commercial, including equipment	353.62
	New swimming pools/spa—Commercial under 1,000 gallons each including equipment	382.65
	New swimming pools/spa—Commercial, 1,001—25,000 gallons each including equipment	413.76
	New swimming pools/spa and fountains—commercial over 25,000 gallons each including equipment	414.80

	Swimming pool renovation commercial (nonstructural) including equipment	354.65
	Demolition	
	Total demolition under 3 stories	56.00
	Total demolition over 3 stories	54.96
	Partial demolition under 300 square feet	16.00
	Partial demolition 300 to 1,000 square feet	50.00
	Partial demolition, 1,001—5,000 square feet	51.85
	Partial demolition per 1,000 over 5,000 square feet	44.59
	Demolition of signs, fences and/or other then above	26.96
	Remove and replace	0.00
	Replace fabric for awning: Residential	14.52
	Replace fabric for awning: Commercial	14.52
	Docks including equipment and pilings associated with dock construction and 2 moorings	
	Docks—Residential under 100 square feet	30.07
	Docks—Residential, 100—500 square feet	84.00
	Docks—Residential each 100 square feet over 500	26.96
	Docks—Commercial under 100 square feet	82.96
	Docks—Commercial, 100—500 square feet	82.96
	Dock repair—Commercial	28.00

	Seawalls/lifts/pilings/moorings	
	Seawalls under 75 feet	23.85
	Seawalls, 75—150 feet	26.96
	Seawalls each additional 25 feet over 150 feet	5.19
	Watercraft lift	
	• Up to 2 systems (dual arm lift is a single unit)	56.00
	• Each additional system over 2	5.19
	Piling/moorings	
	• Up to 2 units	53.92
	• Each additional piling over 2	10.37
	Electric master requiring subs	
	Parking lot lighting	24.89
	Mechanical master requiring subs	
	AC unit new: Residential, 1 unit	31.11
	AC unit new: Residential, 2 or more units	46.67
	AC unit new: Commercial, per unit	50.81
	Cooling tower with structural work	51.85
	Plumbing master requiring subs	
	Backflow protection device (any quantity)	47.70
	Irrigation systems, 1 zone minimum fee	6.22

	Irrigation systems per each additional zone	5.19
	Temporary/special events	
	Temporary platforms for public assembly, first approval	28.00
	Temporary bleachers for public assembly, first approval	25.93
	Temporary chiller	28.00
	Temporary generator (non-special event)	28.00
	Construction, sales or office trailer, per unit	28.00
	Temporary power for construction	28.00
	Temporary fencing	28.00
	Stand Alone Permit Review Fees:	
	Windows, exterior doors and shutters	
	Installation or replacement of windows or exterior doors, 1 unit	84.00
	Installation or replacement of windows or exterior doors, 2—10	84.00
	Installation or replacement of windows or exterior doors, 11—30	107.85
	Installation or replacement of windows or exterior doors, 31—50	221.92
	51 and above (special inspector required), per each additional 5 openings or part thereof	28.00
	Shutters, 1—30 openings	44.59
	Shutters, each additional 10 openings or part thereof over 30	5.19
	Storefront	
	Storefront up to 100 square feet	164.88

	Storefront, 101 to 1,000 square feet	221.92
	Storefront, per additional 100 square feet over 1,000	28.00
	Moving buildings/structures	
	Moving buildings or other structures under 1,500 square feet	833.75
	Per additional 1,500 square feet over 1,500	112.00
	Concrete and paving	
	Concrete slabs and walkways per 1,000 square feet	40.44
	Paving/wood deck per 1,000 square feet	21.78
	Signs	
	Signs (electric)	112.00
	Signs (nonelectric) painted	112.00
	Roofing/waterproofing	
	Roofing/reroofing	10.37
	Waterproofing under 2,000 square feet	13.48
	Waterproofing per each additional 1,000 square feet or part thereof	19.70
	Fences/walls	
	Fences and/or walls: Residential under 75 feet	54.96
	Fences and/or walls: Residential per additional 75 feet or part thereof	11.41
	Fences and/or walls: Commercial	130.66
	Railings, installation or replacement	84.00

	Awnings	
	Awnings, canopies and residential patio covers, each; single-family homes (fabric replacement no charge)	0.00
	Awnings, canopies and residential patio covers; all other occupancies	108.00
	Carport awning	84.00
	Pool heat pumps (new)	28.00
	Pool heat pumps (replacement)	16.59
	Painting	
	Painting permit: Commercial	54.00
	Painting permit: Residential	27.00
	Electrical Permit Review Fees	
	Charging stations—Single-family residence	28.00
	Charging stations—Commercial (up to 5 units)	28.00
	Charging stations—Commercial (each additional 5 units)	28.00
	Mechanical Permit Review Fees	
	AC unit replacement (single unit): Commercial under 2,000 CFM	26.96
	AC unit replacement (single unit): Commercial over 2,000 CFM	26.96
	Landscaping (residential) excludes single-family residence	109.96
	Landscaping (commercial) up to 250 square feet	127.55
	Landscaping (commercial) lot size up to 10,000 square feet	338.06

	Landscaping (commercial) lot size greater than 10,000 square feet	738.34
15-33	<u>Certificate of occupancy or completion shall be processed and fees assessed consistent with 14-66(1)</u>	
	Up-front processing fee	
	Percent of permit review fee that covers plan review	20%
15-35	<u>Employee training, education, safety and technology enhancements and other surcharge will be assessed consistent with 14-70(1),(2),(3),(5), as applicable</u>	
	Revised plans processing fee	
	Walk-through revisions	25.93
	Drop-off revisions	103.70
<u>15-36 (a)</u>	Interest and collection fees shall be charged for unpaid amounts (fees) due.	
15-36(b)	<u>Documents. Requests for copies of department records, inspection reports, logs or other similar documents maintained by the department will be charged a fee consistent with 14-61(d)</u>	
	<u>Minimum Planning fee associated with a building permit</u>	<u>70.00</u>
	<u>Other Planning & Zoning Department Fees</u>	
	<u>Chapter 6. Alcoholic Beverages</u>	
	<u>Article I. In General</u>	
<u>6-2(a)</u>	<u>Service charge for review of application for license</u>	65.00 <u>400.00</u>

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118-6	Cost recovery	
-	Review and Report by outside source	TBD
118-7	Fees for the administration of land development regulations	
-	General Fees for Public Hearing	
-	Application for preliminary evaluation before a board	500.00
-	Application for public hearing	2,500.00
-	Application for clarification of previously approved board order	1,500.00
-	Application for amendment to an approved board order	2,500.00
-	Application for extensions of time of a previously approved board order (non-administrative)	1,500.00
-	Application for after the fact approval	3 X Org. fee
-	Advertisement (Additional fees may apply based on notice requirement for LDR, Comp. Plan and corresponding map amendments)	1,500.00
-	Mail Notice (per address)	4.00
-	Posting (per site)	100.00
-	Withdrawal or continuance prior to public hearing	500.00
-	Deferral of a public hearing	1,500.00
	Amendment of the Land Development Regulations, Zoning Map, Comprehensive Plan and Future Land Use Map 118-162 (a) and (b)	
	Amendment to the permitted, conditional or prohibited uses in a zoning category (per use).	2,500.00
	Amendment to the permitted, conditional or prohibited uses in the comprehensive plan (per use).	2,500.00
	Amendment of zoning map designation (per square foot of lot area) up to 5000 sq. ft	0.50
	Amendment of zoning map designation (per square foot of lot area) 5,001 sq. ft. and greater	0.70
	Amendment of future land use map of the comprehensive plan (per square foot of lot area) up to 5,000 sq. ft.	0.50
	Amendment of future land use map of the comprehensive plan (per square foot of lot area) 5,001 and greater.	0.70
	Amendment to the land development regulations (per section being amended)	10,000.00
	Amendment to the comprehensive plan (per goal, policy, or objective being amended.)	10,000.00
	Conditional Use Permits 118-193	
	Application for Conditional Use Permit for an adult congregate living facility (per bed)	100.00
	Design Review 118-253	
	Application for Design Review Board approval (per gross square foot of new construction)	.50

	Land / Lot Split 118-321	
	See applicable fees under General Fees	
	Variances 118-353	
	Per variance requested	500.00
	Certificate of Appropriateness 118-562 / 564	
	Application for COA (per gross square foot of new construction)	0.50
	Historic Designation 118 - 591	
	Application for district designation (per platted lot)	100.00
	Planning Director determination of architectural significance (142-108)	2,500.00
	Staff Review and Miscellaneous Fees	
	Preliminary zoning review (Dry Run) up to 5000 sq. ft.	2,500.00
	Preliminary zoning review (Dry Run) per square foot fee beyond 5000 sq. ft.	0.50
	Board Order Recording up to 10 pages. (11+ pages will be assessed a per page fee)	100.00
	Status Reports	1,000.00
	Progress Reports	2,500.00
	Failure to appear before a board for Status or Progress report	2,500.00
	Zoning verification letter (per address or folio - includes 1 hour of research)	250.00
	Zoning interpretation letter	1,000.00
	Research per hour fee (beyond four hours per submittal)	150.00
	Excessive Review per hour fee (beyond four hours per submittal)	150.00
	Review of Covenants or Easement	5,000.00
	Modification or release of Covenants or Easement	2,500.00
	Courier (per package)	10.00
	Recording fee (up to 10 pages)	100.00
	Per page recording fee (beyond 10 pages)	10.00
	Paint Permit (Non-online applications)	75.00
	Signs (Not requiring a building permit)	75.00
	Hard copy (paper) submittal conversion of documents to electronic format shall be charged at city's cost from vendor	TBD
130-132(a), (b)(2)	Fee in Lieu of Parking 130-132 (a), (b) (2)	
	One Time Payment	40,000.00
	Yearly Fee	800.00

Section this Code	Description	Amount (Effective October 15, 2012)
	Chapter 42. Emergency Services	
	Article II. Alarm Systems	
	Division 3. Burglar Alarms	
42-84(a)	Renewal of alarm registration fee	10.00

	Chapter 50. Fire Prevention and Protection	
<u>50-3(a)</u>	<u>Fire review fee for a commercial building permit shall be assessed at .70% of the cost of construction.</u>	
<u>50-3(a)</u>	<u>Fire review fee for a residential building permit shall be assessed at .50% of the cost of construction.</u>	
<u>50-3 (b)</u>	<u>Double Fees for work prior to issuance of permit, plus penalties shall be consistent with 14-61(b)</u>	
<u>50-3(b)</u>	<u>Starting work without a permit</u>	
	▲ <u>First offense, double the permit fee plus</u>	119.26
	▲ <u>Second offense, double the permit fee plus</u>	238.51
	▲ <u>Subsequent offenses, double the permit fee plus</u>	596.28
<u>50-3(c)(1)</u>	<u>Reinspection fees shall be consistent with 14-61(c)(1)</u>	
<u>50-3(c)</u>	<u>Reinspection fee</u>	
	▲ <u>First reinspection</u>	0.00
	▲ <u>Second and subsequent re-inspection(s): Based on four times the actual</u>	

	time spent on inspection multiplied by inspection hourly rate	
<u>50-3(d)</u>	<u>Lost plans fee shall be consistent with 14-61(d) Fire shall not assess administrative processing fee</u>	
<u>50-3(e)</u>	<u>Revised Plans Review fee shall be consistent with 14-61(e)</u>	
<u>50-3(e)</u>	<u>Revised plans processing fee: Based on actual time spent on review multiplied by hourly rate</u>	
<u>50-3(f)</u>	<u>Lost Permit Card Fee shall be consistent with 14-61(f)</u>	
<u>50-3(f)</u>	Lost permit card fee	95.00
<u>50-3(g)</u>	<u>Inspection Fee hourly rate. As determined by the department at the beginning of each fiscal year</u>	
<u>50-3(g)</u>	Special fire inspection fee, the greater of	310.00 or 95.00/hr
<u>50-3(h)</u>	<u>Inspection hourly rate: New Rate established at the beginning of each fiscal year</u>	
<u>50-3(i)</u>	<u>Expedited plans review and inspections in addition to all applicable fees</u>	
	<u>Expedited plans review (not to exceed 4 hours)</u>	<u>500.00</u>
	<u>Expedited inspection</u>	<u>150.00</u>
<u>50-3(i)</u>	<u>Plans review hourly rate: New Rate established at the beginning of each fiscal year</u>	
<u>50-3(j)</u>	Plans re-review fee	
	▲ First and second re-review	0.00
	▲ Third and subsequent re-reviews: Based on four times the actual time spent on plan review multiplied by plan review hourly rate	
<u>50-3(l)</u>	<u>Annual Adjustment of rates. The rates pertaining to this division will administratively adjusted annually to reflect increase(s) or decrease(s) in the Consumer Price Index for all urban consumers, CPI-U</u>	

50-3(l)	Certificate of occupancy or completion without building permit, hourly rate, minimum	98.00
50-3(l)	Certificate of occupancy or completion fee after approving a temporary certificate of occupancy, hourly rate, minimum	98.00
50-3(l)	Partial certificate of occupancy fee. Fee based on the time spent for each subsequent partial certificate and final certificate, hourly rate, minimum	98.00
50-3(m)	Permit extension	100.00

50-3(n)	<u>Phased Permit</u> <u>If department review of Phase Permit application is required, a fee consistent with 14-61(e) shall be assessed.</u>	
50-3(n)	Employee training, education, safety and technology fee, percent of the fire department component of the permit fee	6%
50-3(o)	Up front fee, percent of the fire department component of the permit fee	20%
50-3(p)	Building permits. New construction or reconfiguration of space—Under 50,000 square feet. The fee is based on the total square footage multiplied by the rate per square foot, in 100 square foot intervals, as specified below	

	OCCUPANCY CLASS	INCREMENTAL COST PER INCREMENTAL 100 SQUARE FEET
—Section this Code	Description	Amount (Effective Oct. 15, 2012)
	A-1, Assembly—Fixed seating	
	▲ Up to 3,000 square feet	52.09

	▲ From 3,000 square feet to 15,000 square feet, above fee plus	11.69
	▲ From 15,000 square feet to 50,000 square feet, above fee plus	4.60
	A-2, Assembly — Food and drink	
	▲ Up to 350 square feet	42.66
	▲ From 350 square feet to 1,750 square feet, above fee plus	24.69
	▲ From 1,750 square feet to 3,500 square feet, above fee plus	21.93
	▲ From 3,500 square feet to 17,500 square feet, above fee plus	8.90
	▲ From 17,500 square feet to 50,000 square feet, above fee plus	6.61
	A-3, Assembly — Worship, amusement, arcade, community hall	
	▲ Up to 1,000 square feet	60.16
	▲ From 1,000 square feet to 5,000 square feet, above fee plus	25.34
	▲ From 5,000 square feet to 50,000 square feet, above fee plus	7.27
	B, Business	
	▲ Up to 500 square feet	46.97
	▲ From 500 square feet to 2,500 square feet, above fee plus	35.12
	▲ From 2,500 square feet to 25,000 square feet, above fee plus	7.67
	▲ From 25,000 square feet to 50,000 square feet, above fee plus	5.92
	D/E, Day care and educational	
	▲ Up to 3,000 square feet	64.18
	▲ From 3,000 square feet to 15,000 square feet, above fee plus	24.72

	• From 15,000 square feet to 50,000 square feet, above fee plus	7.48
	I-1, Institutional occupancy	
	• Up to 1,500 square feet	41.11
	• From 1,500 square feet to 7,500 square feet, above fee plus	21.09
	• From 7,500 square feet to 50,000 square feet, above fee plus	5.71
	I-2, Institutional occupancy	
	• Up to 4,500 square feet	53.06
	• From 4,500 square feet to 22,500 square feet, above fee plus	12.01
	• From 22,500 square feet to 50,000 square feet, above fee plus	6.18
	M, Mercantile (department store or drug store)	
	• Up to 1,000 square feet	32.02
	• From 1,000 square feet to 5,000 square feet, above fee plus	23.86
	• From 5,000 square feet to 50,000 square feet, above fee plus	5.21
	M, Mercantile (gas station)	
	• Up to 400 square feet	43.99
	• From 400 square feet to 2,000 square feet, above fee plus	55.80
	• From 2,000 square feet to 20,000 square feet, above fee plus	10.29
	• From 20,000 square feet to 50,000 square feet, above fee plus	8.36
	M, Mercantile (retail or wholesale)	
	• Up to 1,500 square feet	19.54

	▲ From 1,500 square feet to 7,500 square feet, above fee plus	20.42
	▲ From 7,500 square feet to 50,000 square feet, above fee plus	4.20
	R-1, Residential, transient	
	▲ Up to 2,000 square feet	65.54
	▲ From 2,000 square feet to 10,000 square feet, above fee plus	22.16
	▲ From 10,000 square feet to 50,000 square feet, above fee plus	6.88
	R-2, Residential, permanent	
	▲ Up to 600 square feet	86.66
	▲ From 600 square feet to 3,000 square feet, above fee plus	100.59
	▲ From 3,000 square feet to 30,000 square feet, above fee plus	22.23
	▲ From 30,000 square feet to 50,000 square feet, above fee plus	15.89
	R-4, Residential, assisted living	
	▲ Up to 1,500 square feet	41.63
	▲ From 1,500 square feet to 7,500 square feet, above fee plus	14.55
	▲ From 7,500 square feet to 50,000 square feet, above fee plus	4.00
	S-1, Storage, moderate hazard (repair garage)	
	▲ Up to 500 square feet	52.60
	▲ From 500 square feet to 2,500 square feet, above fee plus	17.04
	▲ From 2,500 square feet to 5,000 square feet, above fee plus	15.28
	▲ From 5,000 square feet to 25,000 square feet, above fee plus	6.97

	▲ From 25,000 square feet to 50,000 square feet, above fee plus	5.20
	S-2, Storage, low hazard	
	▲ Up to 1,000 square feet	43.15
	▲ From 1,000 square feet to 5,000 square feet, above fee plus	20.34
	▲ From 5,000 square feet to 50,000 square feet, above fee plus	5.31
	S-2, Storage, parking garage	
	▲ Up to 15,000 square feet	28.57
	▲ From 15,000 square feet to 50,000 square feet, above fee plus	1.43
	Shell Building < 75 feet	
	▲ Up to 15,000 square feet	26.32
	▲ From 15,000 square feet to 50,000 square feet, above fee plus	1.10
	Shell building > 75 feet	
	▲ Up to 15,000 square feet	28.05
	▲ From 15,000 square feet to 50,000 square feet, above fee plus	1.30
50-3(p)	Building permits: New construction or reconfiguration of space above 50,000 square feet	
	I, Institutional occupancy	6.82
	M, Mercantile occupancy	4.20
	R, Residential	8.90
	S, Storage occupancy, excluding parking garage	4.59
	S, Storage occupancy, parking garage, shell	1.28

	All other occupancies: A, Assembly; B, Business; D, Day care; E, Educational; and M, Mercantile	5.89
50-3(p)	Minimum fee for minor alteration not requiring structural review	77.78
50-3(p)	Building permits: Specialty permits	
	Kitchen/bath	
	Kitchen renovation: Single unit (R-2 Occupancy)	70.52
	Bath renovation: Single unit (R-2 Occupancy)	47.70
	Communication equipment enclosure	
	▲ Without transfer switch and receptacle	74.66
	▲ With transfer switch and receptacle	74.66
	Railings	
	▲ 0 to 100 feet	74.66
	▲ 101 to 500 feet	74.66
	▲ 501 to 1,000 feet	173.18
	▲ Above 1,000 feet	173.18
	Generator—Commercial	
	Under 10,000 square feet or nonlife safety systems	131.00
	10,000 to 50,000 square feet	251.00
	Above 50,000 square feet	453.00
	Swimming pools	
	New fountains: Commercial, including equipment	47.70

	New swimming pool/spa: Commercial, under 1,000 gallons each including equipment	169.03
	New swimming pool/spa: Commercial, 1,001—25,000 gallons	218.81
	New swimming pool/spa: Commercial, over 25,000 gallons	219.84
	Swimming pool renovation: Commercial	48.74
	Pool equipment: Relocation	12.44
	Partial and total demolition	
	Partial demolition under 300 square feet	23.00
	300—1,000 square feet	73.00
	1,001—5,000 square feet	102.66
	Per 1,000 square feet over 5,000	54.96
	Marine permits	
	Docks: Commercial	
	Under 100 square feet	13.48
	101 square feet and above	24.89
	Landscaping (commercial) up to 250 square feet	57.04
	Landscaping (commercial) lot size up to 10,000 square feet	85.03
	Landscaping (commercial) lot size greater than 10,000 square feet	92.29

50-3(p)	<u>Specialty Permits</u>	
	Building: Temporary/special events permits	
	Temporary structure/trusses/statues (not including tents, platforms or bleachers)	73.63
	Temporary platforms for public assembly, first approval	181.48
	Temporary bleachers for public assembly, first approval	165.92
	Temporary platforms/bleachers for public assembly, re-approval	21.78
	Tents up to 1,000 square feet per unit	137.92
	Tents each additional 1,000 square feet over 1,000 per unit	38.37
	Construction trailer, per trailer	140.00
	Office trailer, per trailer	140.00
	Reinspection fee, pursuant to 14-61 (c),(1)	
	Rereview fee, pursuant to 14-61(c),(1)	

50-3(p)	Building trade permits	
	Building minor work including interior doors; repairs; etc.	98.52
	Windows, exterior doors, shutters, fixed glass or storefronts: New installation or replacement	
	▲ 1 unit	23.85
	▲ 2—10 units	47.70
	▲ 11—30 units	68.44
	▲ 31—50 units	138.96
	▲ Per additional 5 units over 50	23.85
	Storefront	
	▲ Up to 100 square feet	64.29
	▲ 101 to 1000 square feet	89.18
	▲ Per additional 100 square feet over 1,000	24.89
	Moving buildings/structures	
	▲ Under 1,500 square feet	32.15
	▲ Per additional 1,500 square feet	32.15
	Concrete, slabs and walkways per 1,000 square feet	39.41
	Paving/wood deck per 1,000 square feet	12.44
	Fences and/or walls	
	Multifamily, commercial and industrial buildings	
	▲ For first 75 linear feet	61.18

	Awnings, canopies, new or replacement (commercial)	
	▲ Up to 30 square feet	77.00
	▲ Per each additional 30 square feet	0.00
	Plumbing trade permits	
	Natural gas and liquefied petroleum, appliances, per 1 units per outlet and 1 per appliance, such as water heaters, stoves, dryers, etc.: Commercial	23.85
	Electrical trade permits	
	Access control/card access	
	▲ Under 5 devices	42.52
	▲ Up to 25 devices	116.14
	▲ Per additional 25 devices or part thereof	51.85
	Mechanical trade permits	
	AC unit new: Commercial, per unit	
	▲ Under 2,000 CFM	22.81
	▲ Over 2,000 CFM	22.81
	Cooling tower replacement with or without structural work	22.81
	Chiller replacement with or without structural work	24.89
	Gas or oil furnaces: Commercial	32.15
	Hoods	98.52
	Duct new or replacement: Commercial	32.15
	Exhaust ventilation new or replacement	32.15

	Smoke control test	
	▲ Under 10,000 square feet	344.28
	▲ 10,000 to 50,000 square feet	542.35
	▲ Over 50,000 square feet	840.00
	Trash chute, per unit	98.52
	Elevator trade permits	
	Installation of elevators, per unit	
	▲ Up to 3 stories	32.15
	▲ 3 — 10 stories	48.74
	▲ Per each additional story over 10	16.59
	Installation of new wheelchair lifts, per unit	24.89
	Emergency power test	222.96
	Elevator recall	
	▲ Base	133.77
	▲ Per floor	25.93

50-3(q) 50-10(a)	Fire permits	
	Sprinkler/standpipe systems based on area of work	
	• Up to 2,500 square feet	591.09
	• 2,501 to 3,000 square feet	642.94
	• 3,001 to 5,000 square feet	741.96
	• 5,001 to 10,000 square feet	1,014.19
	• 10,001 to 15,000 square feet	1,111.66
	• 15,001 to 30,000 square feet	1,508.84
	• 30,001 to 75,000 square feet	2,696.20
	• 75,001 to 100,000 square feet	3,959.27
	• 100,001 to 150,000 square feet	5,641.28
	• 150,001 to 500,000 square feet	16,778.66
	• Over 500,001 square feet	19,773.52
	Standpipe systems only (no sprinkler system) per 100 feet	249.92
	Fire pump acceptance testing	295.55
	Pressure reducing valve acceptance testing	829.60
	Minor work on existing sprinkler system (1—5 components)	66.37
	Minor work on existing sprinkler system (6—15 components)	208.44
	Replace sprinkler heads (more than 15)	
	• Up to 2,500 square feet	173.18

	• 2,501 to 3,000 square feet	198.07
	• 3,001 to 5,000 square feet	247.84
	• 5,001 to 10,000 square feet	296.58
	• 10,001 to 15,000 square feet	346.36
	• 15,001 to 30,000 square feet	494.65
	• 30,001 to 75,000 square feet	1,088.85
	• 75,001 to 100,000 square feet	1,583.50
	• 100,001 square feet and up	2,325.99
50-3(g) 50-10(a)	Fire alarm system based on area of work	
	• Up to 2,500 square feet	311.10
	• 2,501 to 3,000 square feet	368.14
	• 3,001 to 5,000 square feet	419.99
	• 5,001 to 10,000 square feet	565.17
	• 10,001 to 15,000 square feet	615.98
	• 15,001 to 30,000 square feet	765.31
	• 30,001 to 75,000 square feet	1,161.44
	• 75,001 to 100,000 square feet	1,534.76
	• 100,001 to 150,000 square feet	2,447.32
	• 150,001 to 500,000 square feet	7,201.97
	• 500,001 to 1,000,000 square feet	8,783.39

	• Repair and replace fire alarm panel only	
	• Up to 2,500	78.81
	• 2,501 to 3,000	78.81
	• 3,001 to 5,000	94.37
	• 5,001 to 10,000	108.89
<u>50-10(a)</u>	• 10,001 to 15,000	108.89
	• 15,001 to 30,000	138.96
	• 30,001 to 75,000	198.07
	• 75,001 to 100,000	405.47
	• 100,001 to 150,000	474.95
	• 150,001 to 500,000	1,474.61
	• Over 500,000	1,712.09
	Installation of new single station smoke detectors	
	• Under 5 devices, minimum	103.70
	• Up to 25 devices	466.65
	• Per additional 25 devices beyond the initial 25 or fraction thereof, above fee plus	311.10
	Minor work on existing fire alarm system (1—5 components)	40.44
	Minor work on existing fire alarm system (6—15 components)	201.18
50-3(a) <u>50-10 (a)</u>	Fire suppression system. Localized suppression system (cooking hood, paint booth, etc.), per unit or system. Multiple systems in same area (i.e., kitchen) will be charged at 50% of above fee for each additional system	246.81

50-3(q) 50-10(a)	Fire suppression system. Room suppression system (computer hood, electrical rooms, etc.), per unit or system	642.94
	Minor work on existing fire suppression system (1—5 components)	57.04
50-3(r) 50-10(b)	Hydrant flow test	244.00
50-3(t) 50-10(c)	Occupant content sign	244.00
50-3(t) 50-10(d)	Pyrotechnic display permit	218.00
50-3(u) 50-10(e)	Fireworks permit	322.00
50-3(v) 50-10(f)	Open burning permit	218.00
50-3(w) 50-10(g)	Bonfire permit	145.00
50-3(x) 50-10(h)	Special events fees see 50-3 (p) plan review/inspection	210.00
50-3(y) 50-10(i)	Trade shows (fee for event plans covering MBCC or similar facility hall area or part thereof)	150.00
50-3(z) 50-10(j)	Sidewalk cafes—Propane tank heaters per establishment	25.00
50-3(aa) 50-10(k)	Special master cases	100.00

50-3(bb)	Documents: \$10.00 for first 10 pages; \$0.15 per page after 10 pages (letter or legal size) or \$1.00 per page (larger than legal size).
50-10(l)	Documents. Requests for copies of department records, inspection reports, logs or other similar documents maintained by the department will be charged a fee consistent with 14-61(d)

50-10(m)	<u>Annual Adjustment of rates. The rates pertaining to this division will administratively adjusted annually to reflect increase(s) or decrease(s) in the Consumer Price Index for all urban consumers, CPI-U</u>	
50-4(a)(1),(2)	<u>Upfront Fee shall be consistent with 14-62(a)</u>	
50-4(b)	<u>Refunds, time limitations, cancellations, change of contractors shall be processed and fees assessed consistent with 14-62(b)(4),(5),(6),(7)</u>	
50-5 (1)(a)(b)	<u>Certificate of occupancy or completion shall be processed and fees assessed consistent with 14-66(1)</u>	
Section this Code	Description	Amount
50-5(d)	Fees for the issuance of the fire safety permit and the annual renewal thereof.	
50-5(d)(1) 50-12(a) - (e)	Assembly occupancies:	
	Class A—occupant load greater than 1,000 persons	\$115.00
	Class B—occupant load greater than 300 but not greater than 1,000 persons	86.25
	Class C—occupant load of 50 or more but not > 300 persons	57.50
50-5(d)(2)	Educational occupancies:	
	Schools (private)—educational facilities inclusive of the first to the 12th grade:	

	Buildings up to 10,000 square feet	57.50
	Buildings greater than 10,000 square feet	57.50
	Plus, for each additional 1,000 square feet	1.15
	Nurseries, day care centers, kindergartens—educational facilities up to but not including the first grade	57.50
50-5(d)(3) 50-12 (a) – (e)	Health care occupancies:	
	Private hospitals, nursing homes, limited care facilities:	
	Up to 100 beds	143.75
	Over 100 beds	143.75
	Plus, per bed over 100	1.44
50-5(d)(4)	Residential occupancies:	
	Apartment buildings:	
	3—11 dwelling units	57.50
	12—50 dwelling units	80.50
	Over 50 dwelling units	80.50
	Plus, per unit over 50	2.30
	Hotel, motel, dormitories, lodging house or rooming house:	
	3—50 rental sleeping units	80.50
	Over 50 sleeping units	80.50
	Plus, per unit over 50	2.30

	Board and care facilities:	
	Small facilities—not more than 16 residents	80.50
	Large facilities—more than 16 residents	80.50
	Plus, per unit over 16	2.30
50-5(d)(5) 50-12 (a) – (e)	Mercantile occupancies:	
	Class A—all stores having an aggregate gross area of more than 30,000 square feet or utilizing more than three levels, excluding mezzanines, for sales purposes	86.25
	Plus, 1,000 square feet over 30,000 square feet	1.15
	Class B—all stores of more than 3,000 square feet but not more than 30,000 square feet aggregate gross area, or	86.25
	utilizing floors above or below the street floor level for sales	86.25
	Class C—all stores of not more than 3,000 square feet gross area used for sales purposes on one story only	57.50
50-5(d)(6) 50-12 (a) – (e)	Business occupancies:	
	General offices, including doctors', dentists', and outpatient clinics (ambulatory):	
	Up to 5,000 square feet	57.50
	Over 5,000 square feet	57.50
	Plus, for each additional 1,000 square feet	1.15
	Colleges and university instructional buildings, classrooms under 50 persons and instructional laboratories	57.50

	Plus, for each classroom	1.15
50-5(d)(7) <u>50-12 (a) – (e)</u>	Industrial occupancies:	
	General industrial occupancies—industrial operations conducted in buildings of conventional design suitable for various types of industrial processes; subject to possible use for types of industrial processes with high density of employee population:	
	Up to 5,000 square feet	57.50
	Over 5,000 square feet	57.50
	Plus, for each additional 1,000 square feet	1.15
	Special purpose industrial occupancies - industrial operations in buildings designed for and suitable only for particular types of operations, characterizes by a relatively low density of employee population, with much of the area occupied by machinery or equipment	
	Up to 5,000 square feet	86.25
	Over 5,000 square feet	86.25
	Plus, for each additional 1,000 square feet	1.44
	High hazard industrial occupancies—buildings having high hazard materials, processes, or contents:	
	Up to 5,000 square feet	115.00
	Over 5,000 square feet	115.00
	Plus, for each additional 1,000 square feet	1.73
50-5(d)(8) <u>50-12 (a) – (e)</u>	Storage occupancies:	
	Low hazard contents—classified as those of such low combustibility that no	57.50

	self-propagating fire therein can occur	
	Ordinary hazard contents—classified as those that are likely to burn with moderate rapidity or to give off a considerable volume of smoke:	
	Up to 10,000 square feet	86.25
	Over 10,000 square feet	86.25
	Plus, for each additional 2,000 square feet	1.15
	High hazard contents—classified as those that are likely to burn with extreme rapidity or from which explosions are likely:	
	Up to 5,000 square feet	115.00
	Over 5,000 square feet	115.00
	Plus, for each additional 1,000 square feet	1.15
50-5(d)(9) <u>50-12 (a) – (e)</u>	Marinas:	
	3 to 12 boat slips	57.50
	13 to 50 boat slips	115.00
	Over 50 boat slips	115.00
	Plus, per slip over 50	1.73
50-6(b) <u>50-12 (a) – (e)</u>	Hazardous material permit fee	150.00
	Late permit fee, after 30 days	250.00
	Late permit fee, after 90 days	500.00
50-6(c) <u>50-12</u>	Placard fee for hazardous materials	50.00

<u>(a) – (e)</u>		
<u>50-7</u>	<u>Employee training, education, safety and technology enhancements and other surcharge will be assessed consistent with 14-70(1),(2),(3),(5), as applicable</u>	
<u>50-8(b)</u>	<u>Documents. Requests for copies of department records, inspection reports, logs or other similar documents maintained by the department will be charged a fee consistent with 14-61(d)</u>	
<u>50-9</u>	<u>Interest and collection fees shall be charged for unpaid amounts (fees) due.</u>	
	<u>Minimum Fire fee associated with a building permit</u>	<u>70.00</u>
	Chapter 58. Housing	
	Article III. Property Maintenance Standards	
	Division 2. Administration	
	Subdivision II. City Manager's Designee	
58-233	Appeals from actions or decisions of city manager's designee	250.00
	Chapter 66. Marine Structures, Facilities and Vehicles	
	Article III. Piers, Docks and Boat Ramps	
66-114(a)	<u>Plans review fee shall be consistent with 98-93(a),(b).</u> Up-front processing fee shall be consistent with 14-62(a), the greater of	
	Per 100 square feet of dock or fractional part	0.50
	Per lineal foot of seawall or fractional part	0.25
	Per \$1,000.00 of estimated valuation or fractional part	0.50
	Minimum fee	25.00

66-114(b)	<u>Reinspection fees shall be consistent with 14-61(c)(1)</u>	
	New marine structure, additions:	
	Per 100 feet or fractional part of dock area	1.50
	Per lineal foot or fractional part of seawall	0.50
	Boat lifts, davits, boat hoists, each	5.00
	Dolphin, batter, mooring, dock piles, each	1.00
	Minimum fee	35.00
66-114(c)	Alterations, repairs to marine structures:	
	Up to \$1,000.00 of estimated cost or fractional part	4.75
	Each additional \$1,000.00 or fractional part	0.95
	Minimum fee	35.00
66-114(d)	Reinspection fee:	
	(1) First reinspection	25.00
	(2) Second reinspection for same problem after first has been paid	50.00
66-114(e)	Special projects fee, per hour	20.00
	Chapter 74. Peddlers and Solicitors	
	Article II. Charitable Solicitations	
	Division 2. Permit	
74-72	Permit fee	10.00
	Chapter 82. Public Property	

	Article III. Use of Public Property	
	Division 2. Revocable Permit	
82-92(9)	Application fee	1,000.00
	Mailing fee, per address within 375 feet of subject property	0.50
	Involving use of city property	3,000.00
82-95(b)	Nonwaterfront property for single-family use, per square foot subject to permit	0.45
	Maximum	7,500.00
	Nonwaterfront property for multifamily or commercial use, per square foot subject to permit	0.90
	Waterfront property, regardless of use, per square foot subject to the permit	1.25
	Article IV. Use in Public Rights-of-Way	
	Division 2. Temporary Obstructions	
82-151(c)(4)	Base fee	30.00
	Plus, per lineal foot of street obstructed, per day	0.25
82-151(e)	Applications for hearing	75.00
	Division 3. Newsracks	
	Subdivision II. Administration and Enforcement	
82-204(a)(1)	Release of stored newsrack	25.00
82-204(a)(2)	Upon filing of a request for hearing	25.00
82-204(b)	Reinspection fee	7.80

	Subdivision III. Registration	
82-231(b)(3)a.	Per publisher, for any number of newsracks	7.68
82-231(b)(3)b.	At initial registration, per newsrack	7.80
	Registration of at least 20 newsracks, per newsrack	3.90
	Division 4. Pay Telephones	
	Subdivision II. Permit	
82-307(a)	Annual fee for pay telephones provided by local exchange companies for local service only	370.00
82-307(b)	Annual fee for all other pay telephones providers, for each pay telephone installed	650.00
	Or, if a commission is paid to a private premises owner, an initial permit fee shall be paid of	250.00
	Upon renewal, an additional permit fee shall be paid, equal to the difference between \$650.00 and the commission paid to the private premises owner, plus \$250.00.	
82-307(c)	The first \$250.00 of all annual permit fees shall be nonrefundable.	
82-307(d)	Late payments, per month	25.00
	Subdivision III. Regulations	
82-341(j)	Retroactive annual permit fee for existing pay telephones:	
	Minimum	100.00
	Maximum	650.00
	Division 5. Sidewalk Cafes	
	Subdivision II. Permit	

82-382(b)	Base application fee	150.00
82-383(a)	Annual fee, per square foot of usable sidewalk area, including the area between the tables and chairs:	
	Effective October 1, 2010	17.50
	Effective October 1, 2011	20.00
82-384(ff)	Application to design review or historic preservation board pertaining to the size of food display cases associated with sidewalk cafes and related restaurants	200.00
	Chapter 86. Sales	
	Article II. Garage Sales	
	Division 2. Permit	
86-56(b)	Permit, each <u>(for non-online applications)</u>	15.00
	Article III. Nonprofit Vending and Distribution	
	Division 2. Permit	
86-173	Permit fee, per application, not less than	15.00
	Chapter 90. Solid Waste	
	Article III. Collection and Disposal	
	Division 3. Rates, Charges, Billing Procedures	
90-137(a)	Single-family residences, townhouses, per month	29.92
	Duplex, per month per unit	29.92
	Apartments, condominiums with less than 9 dwelling units, per month per dwelling unit	25.94
	The rates will be adjusted annually to reflect the increases or decreases in the	

	consumer price index for consumers in the southeast United States for all items, and in the Miami-Dade County tipping fees, unless otherwise directed by the city commission.	
	Article IV. Private Waste Collectors/Contractors	
	Division 4. Specialty Contractors	
	Subdivision II. Rolloff Waste Container Contractors	
90-278(1)	When rolloff is located in parking meter spaces, per meter, per day	5.00
90-278(6)	Failure to timely pay license fee	50.00
	Subdivision IV. Hazardous, Biohazardous Waste Containers	
90-332(b)	Annual fee, each permit	25.00
	Chapter 98. Streets and Sidewalks	
	Article III. Excavations	
	Division 2. Permit	

Section this Code	Description	Amount (Effective Oct. 15, 2012)
98- 92(c)	(1) Street excavation permit:	
	50 lineal feet or less	\$362.95
	Each additional lineal foot	3.05
	(2) Sidewalk repair permit:	

		50 lineal feet or less	298.65
		Each additional lineal foot	3.05
	(3)	Sidewalk construction permit:	
		50 lineal feet or less	298.65
		Each additional lineal foot	3.05
	(4)	Paving or resurfacing of parkway or shoulder area permit:	
		25 lineal feet or less	298.65
		Each additional lineal foot	6.48
	(5)	Landscaping, per tree	103.70
	(6)	Landscaping, bedding	103.70
	(7)	Building line and grade survey permit:	
		50 lineal feet or less	362.96
		Each additional lineal foot	7.25
	(8)	Driveway construction permit, each driveway	129.62
	(9)	Flume excavation permit, each excavation	298.65
	(10)	Utility placement permit, poles, splice pits, manholes, hand holes, catch basins, pedestals, vaults and auger holes	298.65
		Plus, for each additional, per block on same permit	14.51
	(11)	Underground utility service connection right-of-way excavation permit, each water, gas, electric, telephone, cable, television or sanitary sewer connection from base building line to the utility located within the public right-of-way	298.65
	(12)	Groundwater monitoring wells, each well	298.65

(13)	Permit renewal fee: 90-day extension of permit fee expiration date	129.62
(14)	After-the-fact permit fee. For any work described in (1) through (12), (16) and (17) herein, performed without proper permits and inspections, quadruple the fees.	
(15)	Reinspection fees. When additional inspection is required for work previously inspected and rejected by the department of public works, a reinspection fee will be required, for each reinspection	114.07
(16)	Dewatering permit fee	362.95
(17)	Blocking of right-of-way (Cranes only) Note: For arterial roadways, full day permit is defined as six hours between 9:00 a.m. and 3:00 p.m.	
	Standard review (full day permit)	
	• Local road	320.43
	• Collector road	427.24
	• Arterial road	534.05
	Priority review (same day permit review)	
	• Local road	384.51
	• Collector road	512.27
	• Arterial road	640.86
	Consecutive multi-day additional fee (per day)	54.96
	Partial day permit (4 hours or less)	
	• Local road	159.69
	• Collector road	213.62
	Blocking right-of-way (all others): The greater of \$0.25 per L.F. per day or \$0.03	

		per S.F. per day)	
	(18)	Revocable permit	
		Application fee, involving city property	4,148.00
		Mailing fee, per address within 375 feet	0.51
	(19)	Coastal review	918.78
	(20)	Sewer capacity certification letter application	155.55
98-92(e)		Double fees for starting work prior to issuance of permit: Any person who commences any work on a building, structure, electrical, gas, mechanical or plumbing systems before obtaining the city's approval or the necessary permits shall be subject to a penalty of 100 percent of the required permit fee, in addition to the required permit fees.	
		Reinspection fee:	
		• First reinspection	51.85
		• Second and subsequent reinspection(s)	103.70
		Revised plans processing fee	25.92
		Plan review and inspection fee hourly rate. The plan review and inspection fee hourly rate is calculated at the beginning of each fiscal year based on the department's approved budget, overhead and indirect costs and the resources assigned to the inspection program.	
		Up front processing fee: Percent of estimated public works permit fee	20%
		Enforcement of City Code related to building permits— Specialty and stand alone permits	
		Railings	26.96
		Landscaping (residential)	26.96
		Landscaping (commercial) up to 250 sq. ft.	61.18

		Landscaping (commercial) lot size up to 10,000 sq. ft.	68.44
		Landscaping (commercial) lot size greater than 10,000 sq. ft.	74.66
		Communucation equipment enclosure	26.96
		Swimming pools	
		New swimming pools/spa and fountains: Residential under 1,000 gallons including equipment	14.51
		New swimming pools/spa and fountains: Residential, 1,001—25,000 total gallons including equipment	22.81
		New swimming pools/spa and fountains: Residential, over 25,000 total gallons including equipment	29.03
		Swimming pool renovation residential (nonstructural) including equipment	15.55
		New fountains: Commercial, including equipment	51.85
		New swimming pools/spa and fountains: Commercial under 1,000 gallons each including equipment	51.85
		New swimming pools/spa: Commercial, 1,001—25,000 gallons each including equipment	52.88
		New swimming pools/spa and fountains: Commercial over 25,000 gallons each including equipment	52.88
		Swimming pool renovation commercial (nonstructural) including equipment	51.85
		Partial and total demolition:	
		Total demolition	
		• Under 3 stories	26.96
		• Over 3 stories	25.92
		Partial demolition	

		▲ Under 300 square feet	0.00
		▲ 300 — 1,000 square feet	24.00
		▲ 1,001 — 5,000 square feet	24.88
		▲ Per 1,000 over 5,000 square feet	21.77
		Demolition of signs, fences and/or other than above	24.88

<u>98-93(a)</u>	<u>Planning review fee for a commercial building permit shall be assessed at .70% of the cost of construction.</u>	
<u>98-93(a)</u>	<u>Planning review fee for a residential building permit shall be assessed at .50% of the cost of construction.</u>	
<u>98-93(b)</u>	<u>Double Fees for work prior to issuance of permit, plus penalties shall be consistent with 14-61(b)</u>	
<u>98-93(c)(1)</u>	<u>Reinspection fees shall be consistent with 14-61(c)(1)</u>	
<u>98-93(d)</u>	<u>Lost Plans fee shall be consistent with 14-61(d). Planning shall not assess administrative processing fee</u>	
<u>98-93(e)</u>	<u>Revised Plans Review fee shall be consistent with 14-61(e)</u>	
<u>98-93(f)</u>	<u>Lost Permit Card fee shall be consistent with 14-61(f)</u>	
<u>98-93(g)</u>	<u>Inspection Fee hourly rate. As determined by the department at the beginning of each fiscal year</u>	
<u>98-93(i)</u>	<u>Expedited plans review and inspections in addition to all applicable fees</u>	
	<u>Expedited plans review (not to exceed 4 hours)</u>	<u>500.00</u>
	<u>Expedited inspection</u>	<u>150.00</u>
<u>98-93(l)</u>	<u>Annual Adjustment of rates. The rates pertaining to this division will administratively adjusted annually to reflect increase(s) or decrease(s) in the Consumer Price Index for all urban consumers, CPI-U</u>	
<u>98-93(n)</u>	<u>Phased Permit</u> <u>If department review of Phase Permit application is required, a fee consistent with 14-61(e) shall be assessed.</u>	
<u>98-92(e)</u> <u>93(a)</u>	Temporary and special event fees	

	Temporary platforms for public assembly, first approval	26.96
	Temporary bleachers for public assembly, first approval	24.88
	Tents up to 1,000 square feet per unit (excluding electric and plumbing)	26.96
	Tents each additional 1,000 square feet over 1,000 per unit (excluding electric and plumbing)	17.62
	Construction trailer, per trailer	26.96
	Office trailer, per trailer	26.96
	Temporary power for construction	26.96
	Temporary toilet/outhouse	14.51
	Enforcement of City Code related to building trade permits	
	Painting permit	
	• Commercial	26.00
	Installation or replacement of windows and exterior doors in all buildings, shutters, fixed glass or storefronts:	
	Storefront including windows and doors therein	25.92
	Moving buildings or other structures	26.96
	Fences and/or walls:	
	 • Single-family and duplex buildings	12.44
	 • Multifamily commercial and industrial buildings	14.51
	Awning, canopies and residential patio covers: New	
	 • Single-family home (per unit)	26.96

	• All other occupancies 1—30 units	26.96
	• Each additional 10 units over 30	26.96
	Carport awning	25.92
	Enforcement of City Code related to electrical permit fees:	
	Charging stations (commercial)	240.58
	Enforcement of City Code related to plumbing permit fees:	
	Plumbing permits including building, electric and mechanical components	
	Backflow protection devices, per device	38.36
	Irrigation systems	
	• First zone	9.33
	• Each additional zone	21.77
	Pool heater new	17.62
	Plumbing permits—Stand alone	
	Drainage or connections:	
	Water meter/submeter connections to water supply system or to appliances/installations not covered by fixtures	25.92
	Wells, tanks, gas, sewer:	
	Drywells or discharge wells	25.92
	Natural gas and liquefied petroleum, 1 unit per outlet and 1 per appliance	25.92
	Water/gas mains per 1 unit per 50 feet	25.92
	Sub-meter with backflow protection system up to 5 units	36.29

	Sanitary, storm, condensation drains and collector lines per 1 unit per 50 feet	25.92
	Enforcement of City Code related to mechanical permit fees:	
	AC unit new: Residential	
	▲ 1 Unit	29.03
	▲ 2—5 Units	44.59
	AC unit new: Commercial, per unit	48.73
	Cooling tower with structural work	49.78

New Construction or Reconfiguration of Space
Cost per 100 square feet based on occupancy type as defined by the Florida Building Code. Samples of occupancy types are provided for illustrative purposes only and are not inclusive of all uses within each occupancy type. The fee is calculated based on the total square footage multiplied by the rate per square foot, in 100 square foot intervals, as specified below

OCCUPANCY TYPE	INCREMENTAL COST PER INCREMENTAL 100-SQUARE FEET (Effective Oct. 15, 2012)
A-1, Assembly: Fixed seating (theater, concert hall)	
▲ Up to 3,000 square feet	\$6.23
▲ From 3,001 square feet to 15,000 square feet, above fee plus	0.10
▲ From 15,001 square feet to 50,000 square feet, above fee plus	0.10

A-1, Alteration/Remodeling	6.87
A-2, Assembly: Food and drink (restaurant, night club, bar)	
▲ Up to 350 square feet	50.38
▲ From 351 square feet to 17,500 square feet, above fee plus	0.55
▲ From 17,501 square feet to 50,000 square feet, above fee plus	0.29
A-2, Alteration/Remodeling	58.90
A-3, Assembly (worship, amusement, arcade, community hall)	
▲ Up to 1,000 square feet	20.84
▲ From 1,001 square feet to 50,000 square feet, above fee plus	0.32
A-3, Alteration/Remodeling	20.61
B, Business	
▲ Up to 500 square feet	48.09
▲ From 501 square feet to 25,000 square feet, above fee plus	0.65
▲ From 25,001 square feet to 50,000 square feet, above fee plus	0.64
B, Alteration/Remodeling	
▲ Up to 500 square feet	12.37
▲ From 501 square feet to 50,000 square feet, above fee plus	7.21
D/E, Day care and educational	
▲ Up to 3,000 square feet	9.35
▲ From 3,001 square feet to 50,000 square feet, above fee plus	0.16

D/E, Alteration/Remodeling	
▲ Up to 3,000 square feet	3.30
▲ From 3,001 square feet to 50,000 square feet, above fee plus	0.89
I-1, Institutional (ambulatory, clinic)	
▲ Up to 1,500 square feet	19.25
▲ From 1,501 square feet to 50,000 square feet, above fee plus	0.07
I-1, Alteration/Remodeling	
▲ Up to 1,500 square feet	9.48
▲ From 1,501 square feet to 50,000 square feet, above fee plus	1.07
I-2, Institutional (nonambulatory, hospital)	
▲ Up to 4,500 square feet	6.35
▲ From 4,501 square feet to 50,000 square feet, above fee plus	0.33
I-2, Alteration/Remodeling	
▲ Up to 4,500 square feet	9.48
▲ From 4,501 square feet to 50,000 square feet, above fee plus	1.07
M, Mercantile (department store or drug store)	
▲ Up to 1,000 square feet	20.84
▲ From 1,001 square feet to 50,000 square feet, above fee plus	0.32
M, Mercantile (department store or drug store) Alteration/Remodeling	20.61
M, Mercantile (gas station)	

▲ Up to 400 square feet	60.12
▲ From 401 square feet to 20,000 square feet, above fee plus	0.81
▲ From 20,001 square feet to 50,000 square feet, above fee plus	0.79
M, Mercantile (gas station), Alteration/Remodeling	51.54
M, Mercantile (retail or wholesale)	
▲ Up to 1,500 square feet	17.38
▲ From 1,501 square feet to 50,000 square feet, above fee plus	0.28
M, Mercantile (retail or wholesale), Alteration/Remodeling	13.74
R-1, Residential: Transient (boarding house, hotel, motel)	
▲ Up to 2,000 square feet	12.82
▲ From 2,001 square feet to 50,000 square feet, above fee plus	0.26
R-1, Alteration/Remodeling	10.31
R-2, Residential: Permanent (apartment, dormitory, timeshare)	
▲ Up to 600 square feet	42.76
▲ From 601 square feet to 30,000 square feet, above fee plus	0.87
▲ From 30,001 square feet to 50,000 square feet, above fee plus	0.75
R-2, Alteration/Remodeling	34.36
R-3, Residential: Permanent (dwellings, custom homes)	
▲ Up to 1,500 square feet	16.04
▲ From 1,501 square feet to 10,000 square feet, above fee plus	1.42

▲ From 10,001 square feet to 50,000 square feet, above fee plus	0.80
R-3, Alteration/Remodeling	13.74
R-4, Residential: Assisted living (6—16 persons)	
▲ Up to 1,500 square feet	13.90
▲ From 1,501 square feet to 50,000 square feet, above fee plus	0.23
R-4, Alteration/Remodeling	13.74
S-1, Storage: Moderate hazard (repair garage)	
▲ Up to 500 square feet	29.38
▲ From 501 square feet to 25,000 square feet, above fee plus	0.33
▲ From 25,001 square feet to 50,000 square feet, above fee plus	0.17
S-1, Alteration/Remodeling	
▲ Up to 500 square feet	16.08
▲ From 501 square feet to 50,000 square feet, above fee plus	6.29
S-2, Storage: Low hazard (excluding parking garage)	
▲ Up to 1,000 square feet	20.84
▲ From 1,001 square feet to 50,000 square feet, above fee plus	0.32
S-2, Storage: Low hazard (excluding parking garage), Alteration/Remodeling	20.61
S-2, Storage: Parking garage	
▲ Up to 15,000 square feet	1.78
▲ From 15,001 square feet to 50,000 square feet	0.05

S-2, Storage: Parking garage, Alteration/Remodeling	1.37
Shell building < 75 feet	
▲ Up to 7,500 square feet	3.42
▲ From 7,501 square feet to 50,000 square feet, above fee plus	0.07
Shell building > 75 feet	
▲ Up to 15,000 square feet	2.13
▲ From 15,001 square feet to 50,000 square feet, above fee plus	0.06
For any square footage over 50,000 square feet, above fee per occupancy type plus:	
I, Institutional (clinic or hospital)	0.10
M, Mercantile (retail or wholesale only)	0.28
R, Residential	0.31
S, Storage, excluding parking garage	0.24
S-2, Storage: Parking garage or shell buildings	0.06
All other occupancy types, including, but not limited to: A, Assembly; B, Business; D, Day care; E, Educational; and M, Mercantile (department store, drug store, gas station)	0.34

<u>98-94(a)(1),(2)</u>	<u>Upfront Fee shall be consistent with 14-62(a)</u>	
<u>98-94 (b)</u>	<u>Refunds, time limitations, cancellations, change of contractors shall be processed and fees assessed consistent with 14-62(b)(4),(5),(6),(7)</u>	

<u>98-95</u>	<u>Certificate of occupancy or completion shall be processed and fees assessed consistent with 14-66(1)</u>	
<u>98-97</u>	<u>Employee training, education, safety and technology enhancements and other surcharge will be assessed consistent with 14-70(1),(2),(3),(5), as applicable</u>	
<u>98-98</u>	Interest and collection fees shall be charged for unpaid amounts (fees) due.	
<u>98-98(b)</u>	<u>Documents. Requests for copies of department records, inspection reports, logs or other similar documents maintained by the department will be charged a fee consistent with 14-61(d)</u>	
	<u>Minimum Public Works fee associated with a building permit</u>	<u>70.00</u>

Section this Code	Description	Amount
	Chapter 102. Taxation	
	Article IV. Resort Tax	
	Division 4. Tax	
102-310(b)	Resort tax registration fee:	
	At time of registration	25.00
	If compelled to register because of failure or refusal to pay	100.00
102-311(h)	Dishonored checks, the greater of:	
	The charge paid by the city to the bank, plus 25% of the bank charge, minimum	5.00
	5% of the amount of the check	
102-314(f)	Reporting fee:	
	Initial late reporting fee	50.00
	Plus, for each 30-day late period	25.00
	Maximum	500.00
	Article V. Occupational License Tax	
102-384	Fee for hearing when licensee or permittee fails to comply with notice of violation or when requested by aggrieved applicant/licensee	75.00
	Chapter 106. Traffic and Vehicles	
	Article V. Police Vehicle Towing	

	Division 2. Permit	
106-216	Per vehicle tow	20.00
	Article VI. Towing and Immobilization of Vehicles	
106-269(c)(1)c	Fee for removal of immobilization device, not to exceed	25.00
	Chapter 110. Utilities	
	Article III. Stormwater Utility	
110-39(e)	Meter test fees: (if meter found to be working properly)	
	Up to 1 inch	50.00
	1.5 to 2 inches	100.00
	3 inches and greater	275.00
	2nd Request within a 12-month period	
	Up to 1 inch	75.00
	1.5 to 2 inches	125.00
	3 inches and greater	300.00
110-39(g)	Unauthorized use of city water/meter tampering	100.00
	Unauthorized use of city water/meter tampering (2nd occurrence)	200.00
	Unauthorized use of city water/meter tampering (3rd occurrence and each subsequent occurrence). (In addition, the owner and/or consumer shall pay all costs associated with keeping the service off, including, but not limited to, all utility expenses, materials, cost of equipment, and reasonable attorney fees)	300.00
110-42(b)	Unauthorized turn-on of service	100.00

	Unauthorized turn-on of service (2nd occurrence)	200.00
	Unauthorized turn-on of service (3rd occurrence and each subsequent occurrence). (In addition, the owner and/or consumer shall pay all costs associated with keeping the service off, including, but not limited to, all utility expenses, materials, cost of equipment, city labor costs, and reasonable attorney's fees and costs)	300.00
110-43(c)	Turn-on fee	25.00
110-109(c)	Stormwater utility service charge effective with billings on or after the following dates shall be as follows:	
	October 1, 2000	3.25
	October 1, 2001	4.00
	October 1, 2002	5.50
	October 1, 2003	5.80
	October 1, 2004	5.80
	October 1, 2005	5.80
	October 1, 2008	7.42
	October 1, 2009	9.06
	October 1, 2014	16.67
	Article IV. Fees, Charges, Rates and Billing Procedure	
	Division 2. Rates, Fees and Charges	
110-166(a)	Minimum service charge:	

Size of	Gallons of	Minimum
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Meter	Water per Month	Monthly Service Charge (effective for billings on or after October 1, 2000)
¾"	5,000	\$ 11.05
1"	7,000	15.47
1½"	11,000	24.31
2"	17,000	37.57
3"	40,000	88.40
4"	80,000	176.80
6"	120,000	265.20
8"	200,000	442.00

Size of Meter	Gallons of Water per Month	Minimum Monthly Service Charge (effective for billings on or after October 1, 2001)
¾"	5,000	\$ 11.30
1"	7,000	15.82
1½"	11,000	24.86

2"	17,000	38.42
3"	40,000	90.40
4"	80,000	180.80
6"	120,000	271.20
8"	200,000	452.00

Size of Meter	Gallons of Water per Month	Minimum Monthly Service Charge (effective for billings on or after October 1, 2002)
¾"	5,000	\$ 11.55
1"	7,000	16.17
1½"	11,000	25.41
2"	17,000	39.27
3"	40,000	92.40
4"	80,000	184.80
6"	120,000	277.20
8"	200,000	462.00

Size of Meter	Gallons of Water per Month	Minimum Monthly Service Charge (effective for billings on or after October 1, 2003
¾"	5,000	\$ 11.88
1"	7,000	16.60
1½"	11,000	26.04
2"	17,000	40.20
3"	40,000	94.48
4"	80,000	188.88
6"	120,000	283.28
8"	200,000	472.08

Size of Meter	Gallons of Water per Month	Minimum Monthly Service Charge (effective for billings on or after October 1, 2004)
¾"	5,000	\$ 12.13

1"	7,000	16.95
1½"	11,000	26.59
2"	17,000	41.05
3"	40,000	96.48
4"	80,000	192.88
6"	120,000	289.28
8"	200,000	482.08

Size of Meter	Gallons of Water per Month	Minimum Monthly Service Charge (effective for billings on or after October 1, 2005)
¾"	5,000	\$ 12.38
1"	7,000	17.30
1½"	11,000	27.14
2"	17,000	41.90
3"	40,000	98.48
4"	80,000	196.88
6"	120,000	295.28

8"	200,000	492.08
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Size of Meter	Gallons of Water per Month	Minimum Monthly Service Charge (effective for billings on or after October 1, 2006)
¾"	5,000	\$ 13.95
1"	7,000	19.53
1½"	11,000	30.69
2"	17,000	47.43
3"	40,000	111.60
4"	80,000	223.20
6"	120,000	334.80
8"	200,000	558.00

Size of Meter	Gallons of Water per Month	Minimum Monthly Service Charge (effective for billings on or after
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		October 1, 2007)
¾"	5,000	\$16.15
1"	7,000	22.61
1.05"	11,000	35.53
2"	17,000	54.91
3"	40,000	129.20
4"	80,000	258.40
6"	120,000	387.60
8"	200,000	646.00

Size of Meter	Gallons of Water per Month	Minimum Monthly Service Charge (effective for billings on or after October 1, 2008)
¾"	5,000	\$19.40
1"	7,000	27.16
1.5"	11,000	42.68
2"	17,000	65.96
3"	40,000	155.20
4"	80,000	310.40

6"	120,000	465.60
8"	200,000	776.00

Size of Meter	Gallons of Water per Month	Minimum Monthly Service Charge (effective for billings on or after October 1, 2009)
¾"	5,000	\$21.80
1"	7,000	30.52
1.5"	11,000	47.96
2"	17,000	74.12
3"	40,000	174.40
4"	80,000	348.80
6"	120,000	523.20
8"	200,000	872.00

Size of Meter	Gallons of Water per Month	Minimum Monthly Service Charge (effective for billings on or after
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		October 1, 2014)
¾"	5,000	\$22.15
1"	7,000	31.01
1.5"	11,000	48.73
2"	17,000	75.31
3"	40,000	177.20
4"	80,000	354.40
6"	120,000	531.60
8"	200,000	886.00

Section this Code	Description	Amount
110-166(b)	Water in excess of subsection 110-166(a), shall be as follows: \$2.21 per 1,000 gallons, effective with billings on or after October 1, 2000; \$2.26 per 1,000 gallons, effective with billings on or after October 1, 2001; \$2.31 per 1,000 gallons, effective with billings on or after October 1, 2002; \$2.44 per 1,000 gallons, effective with billings on or after October 1, 2003; \$2.49 per 1,000 gallons, effective with billings on or after October 1, 2004; and \$2.54 per 1,000 gallons, effective with billings on or after October 1, 2005; and \$2.79 per 1,000 gallons, effective with billings on or after October 1, 2006; \$3.23 per 1,000 gallons, effective with billings on or after October 1, 2007; \$3.88 per 1,000 gallons, effective with billings on or after October 1, 2008; and \$4.36 per 1,000 gallons, effective with billings on or after October 1, 2009; and \$4.43 per 1,000 gallons, effective with billings on or after October 1, 2014.	
110-166(d)	Tapping fee, per size of tap in inches:	
	¾	4,726.00

	1	4,665.00
	1½	5,106.00
	2	5,116.00
	3	5,627.00
	4	6,189.00
	6	6,808.00
110-166(e)	Guarantee of payment deposit, per service in inches:	
	¾	40.00
	1	50.00
	1½	60.00
	2	100.00
	3	500.00
	4	600.00
	6	1,000.00
	8	1,500.00
110-166(f)	Re-read fee (Charged if meter found to be working properly)	25.00
110-166(g)	Special read fee	25.00
110-166(h)	Servicing a meter found damaged, destroyed or missing will require actual replacement cost plus all costs associated with replacement of meter	Actual costs
110-166(i)	Field visit fee:	

	Normal business hours	25.00
	After normal business hours	50.00
110-167(a)	Water impact fee, per meter size in inches:	
	5/8	155.00
	¾	230.00
	1	385.00
	1½	775.00
	2	1,240.00
	3	2,480.00
	4	3,875.00
	6	7,750.00
	8	12,400.00
	Larger than 8 inches, based on relative meter capacities	
110-168(a)	Sanitary sewer service charge, shall be as follows: \$3.73 per 1,000 gallons, effective with billings on or after October 1, 2000; \$3.81 per 1,000 gallons, effective with billings on or after October 1, 2001; \$3.90 per 1,000 gallons, effective with billings on or after October 1, 2002; \$4.03 per 1,000 gallons, effective with billings on or after October 1, 2003; \$4.12 per 1,000 gallons, effective with billings on or after October 1, 2004; and \$4.21 per 1,000 gallons, effective with billings on or after October 1, 2005; and \$4.25 per 1,000 gallons, effective with billings on or after October 1, 2006; \$4.93 per 1,000 gallons, effective with billings on or after October 1, 2007; \$5.62 per 1,000 gallons, effective with billings on or after October 1, 2008; and \$6.04 per 1,000 gallons, effective with billings on or after October 1, 2009; and \$6.34 per 1,000 gallons, effective with billings on or after October 1, 2013; and \$7.55 per 1,000 gallons, effective with billing on or after October 1, 2014.	
110-169(a)	Sewer impact fee, per meter size in inches:	

	5/8	235.00
	¾	350.00
	1	585.00
	1½	1,175.00
	2	1,880.00
	3	3,760.00
	4	5,875.00
	6	11,750.00
	8	18,800.00
	Larger than 8 inches, based on relative meter capacities	
110-170(a)	Submeter service inspection	50.00
	Division 3. Billing Procedure	
110-191(f)	Dishonored checks, the larger of:	
	Base fee	20.00
	5% of the amount of the check	
110-192(b)	Disconnect charge (includes connecting after payment) (If disconnected for nonpayment all future payments must be made by ACH bank transfers or by a city accepted credit/debit card)	40.00
110-192(e)	Unauthorized turn-on after disconnect	100.00
	Unauthorized turn-on after disconnect (2nd occurrence)	200.00
	Unauthorized turn-on after disconnect for cause (3rd occurrence and each subsequent occurrence) (In addition, the owner and/or consumer shall pay all costs associated with keeping the service off including, but not limited to, all	300.00

	utility expenses, materials, cost of equipment, city labor costs, and reasonable attorney's fees costs)	
	Subpart B. Land Development Regulations	
	Chapter 114. General Provisions	
114-7(e)	Fees for administration of land development regulations:	
114-7(e)(2)	Zoning compliance letters in single family districts	50.00
	Zoning compliance letters in other than single family districts, general interpretation letters	160.00
	Confirmation of zoning classification and permitted use	50.00
	Chapter 118. Administration and Review Procedures	
	Article I. In General	
118-3	Mailing list in conjunction with application for public hearing, per mailing address	1.00
	Article III. Amendment Procedure	
118-162(d)a	Fees for applicants requesting a public hearing on any application for amendment to the land development regulations:	
118-162(d)(1)	Change of zoning map designation or change on the future land use map of the comprehensive plan which would change the actual list of permitted, conditional or prohibited uses, per square foot of lot area	0.11
	Proposals that involve a change of zoning map designation or future land use map changes which would change the actual list of permitted, conditional or prohibited uses, per square foot of lot area for each request	0.11
	Changes in the actual list of permitted, conditional or prohibited uses, per section of the land development regulations or comprehensive plan	1,295.00
118-	Amendment to the land development regulations or comprehensive plan which does not change the actual list of permitted, conditional or prohibited	1,945.00

162(d)(2)	uses, per section of the land development regulations or comprehensive plan	
	Article IV. Conditional Use Procedure	
118-196(1)	Fees required by applicant requesting and obtaining a public hearing before the planning board:	
118-196(1)a	Conditional use, when a fee has not been established for a specific use	1,295.00
118-196(1)b	Adult congregate living facility	1,295.00
	Adult congregate living facility, per bed	75.00
	Adult congregate living facility, per mailing address	0.50
118-196(2)	Request for minor amendment to an approved conditional use, clarification of conditions or an extension of time	540.00
118-196(3)	Request for a substantial amendment to an approved conditional use	860.00
118-196(4)	Withdrawal of application prior to date of public hearing, request for new hearing date	320.00
118-196(5)	Requests for deferral of public hearing, a fee commensurate with all costs, not less than	645.00
118-196(6)	Filing appeal of planning and zoning director's decision	860.00
118-196(7)	Triple fees for after the fact conditional use application	
	Article VI. Design Review Procedures	
118-255(a)	Fees for submission of application to planning, design and historic preservation division:	
118-255(a)(1)	Application for preliminary evaluation of project	320.00
118-255(a)(2)	Application requiring hearing for design review approval, base fee	860.00

	Application requiring hearing for design review approval, per square foot of floor area, up to a maximum of \$10,000.00	0.10
118-255(a)(3)	Application requiring staff review for minor alterations and minor additions including storefront replacement and storefront reconfiguration	105.00
118-255(a)(4)	Application pertaining only to signs, awnings and window replacements	50.00
118-255(a)(5)	Application pertaining only to paint	25.00
118-255(a)(6)	Deferment or clarification hearing request	645.00
118-255(a)(9)	Application pertaining to extensions of time	860.00
118-255(a)(10)	After the fact design review application incurs triple fees:	
118-255(a)(10)c	In addition, request for staff level review of adjustment to after the fact application fee, to place the item on the board's agenda	80.00
118-255(a)(11)	Minor revisions to previously approved plans, for reviews conducted by staff (plus one half the original fee for plans which were approved by the board)	25.00
118-255(a)(12)	Major revisions to plans previously approved by the board, base fee (plus one half the original fee for plans which were approved by the board)	160.00
118-255(a)(13)	Appeal of a staff decision to the board	860.00
	Appeal of a board decision to the city commission requires a fee of the lesser of: (i) \$860.00 or (ii) one half of the original application fee.	
118-255(a)(14)	Application pertaining to rehearing of project requires a fee of one half of the original fee	
	Article VII. Division of Land/Lot Split	

118-321(1)	Application for review of the division of lots; lots splits	1,295.00
	After the fact application for the division of lots; lot splits (This fee is in addition to the application fee above)	645.00
118-321(2)	Request for deferment or extension of time	645.00
	Article VIII. Procedure for Variances and Administrative Appeals	
118-357(1)	Variances and appeals from administrative decisions and signs:	
118-357(1)a	Filing for single-family residences	215.00
	Additional fee for each individual single-family residence variance requested	105.00
118-357(1)b	Filing for multifamily, commercial, industrial or mixed use development properties	860.00
	Additional fee for each individual single-family residence variance requested	240.00
118-357(1)c	Appeal from administrative decision	1,295.00
118-357(1)d	Signs	860.00
	Signs, additional fee per request	160.00
118-357(1)e	Supplemental fee, per mailing address, except variances associated with single-family residences	0.60
118-357(2)	Deferments, withdrawals and clarifications:	
118-357(2)a	Single-family residences, per variance	150.00
118-357(2)b	Multifamily, commercial, industrial or mixed use development, per variance	645.00
118-357(2)c	Appeal from administrative decision	645.00
118-357(4)	Requests for a clarification, extension of time, an amendment to a previous	860.00

	board of adjustment decision, or any other request that is not a variance or appeal of an administrative decision	
118-357(8)	Failure to appear, failure to defer appearing for progress report required as condition for granting variance	430.00
	Article IX. Nonconformances	
118-399(1)c.1	Retention of illegally subdivided and undersized apartment units, hotel units and adult congregate living facility units and illegally installed kitchens, fee for establishment as legally nonconforming	860.00
	Plus an additional processing fee for retention of illegally subdivided and undersized units, hotel units and adult congregate living facility units and illegally installed kitchens, per unit	75.00
	Article X. Historic Preservation	
	Division 2. Historic Preservation Board Review of Projects	
118-537(a)(1)	A request pertaining to the rehearing of a project requires a fee of one-half the original fee.	
118-537(b)(1)	Appeal of a board decision to the special master requires a fee of the lesser of: (i) \$860.00, or (ii) one-half of the original application fee.	
	Division 3. Issuance of Certificate of Appropriateness/Certificated to Dig/Certificate of Appropriateness for Demolition	
118-564(f)(7)a.	Projects requiring historic preservation board approval, base fee	860.00
	Projects requiring historic preservation board approval, per square foot of floor area, up to a maximum of \$10,000.00	0.10
	Major revisions to plans previously approved by the historic preservation board, base fee (plus one-half the original fee for plans which were approved by the board)	860.00
	Application for preliminary evaluation of a project	320.00

	Appeal of a staff decision to the historic preservation board	750.00
	Deferment or clarification hearing request	645.00
	Application pertaining to extensions of time	860.00
	Application requiring staff review for minor alterations and minor additions including storefront replacement and storefront reconfiguration	105.00
	Application pertaining only to signs, awnings and window replacements	50.00
	Staff level application pertaining only to paint	20.00
	Projects reviewed by staff	105.00
118-564(f)(7)a.3	Request for staff level review of adjustment to after the fact fee, to place the item on the board's agenda	80.00
	Division 4. Designation	
118-591(a)(3)	Fees for designation of historic sites, structures, buildings, etc.:	
118-591(a)(3)a	Request for site designation	1,080.00
118-591(a)(3)b	Request for district designation, per platted lot	12.00
	Chapter 130. Off-Street Parking	
	Article V. Parking Impact Fee Program	
130-132	Impact fee calculation, one-time payment at the time of issuance of building permit, assessed in percentages as listed in section 130-132	35,000.00
	Article VII. Surplus and Under-Utilized Parking Spaces	
130-192	Lease of under-utilized parking spaces, application fee	215.00
	Additional fee regarding application for lease of under-utilized parking spaces,	6.00

	per space	
	Chapter 138. Signs	
	Article IV. Temporary Signs	
138-131(d)	Maximum amount of bond for temporary signs 6 square feet or larger	300.00
138-135(e)(5)	Permit for real estate sign in single-family residential districts. <u>Non-online applications.</u> per primary sign	10.00
138-136(e)(5)	Permit fee for real estate signs for multifamily, commercial, industrial, vacant land (other than residential). Non-online applications. per sign	25.00
138-137(e)	Minimum bond amount for temporary balloon signs	500.00
	Chapter 142. Zoning Districts and Regulations	
	Article II. District Regulations	
	Division 18. PS Performance Standard District	
142-704(4)	In-lieu-of payment for open space requirement, per square foot of open space not provided	5.00

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LAND DEVELOPMENT AND PERMITTING FEES

ORDINANCE NO. _____

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 14, "BUILDING REGULATIONS," DIVISION 2, "PERMIT FEES," AT SECTIONS 14-61, 14-62, 14-66, 14-67, 14-68, 14-70, AND 14-72; CHAPTER 15, "ZONING REVIEW FEE ASSOCIATED WITH THE BUILDING PERMIT PROCESS," ARTICLE II, "ZONING REVIEW FEES ASSOCIATED WITH THE BUILDING PERMIT PROCESS," AT SECTIONS 15-31, 15-32, 15-33, 15-34, 15-35, 15-36, AND 15-37; CHAPTER 50, "FIRE PREVENTION AND PROTECTION," AT SECTIONS 50-3, 50-4, 50-5, 50-6, 50-7, AND 50-8; CHAPTER 66, "MARINE STRUCTURES, FACILITIES AND VEHICLES," ARTICLE III, "PIERS, DOCKS AND BOAT RAMPS," AT SECTION 66-114; CHAPTER 86, "SALES," DIVISION 2, "PERMIT," AT SECTION 86-56; CHAPTER 98, "STREETS AND SIDEWALKS," ARTICLE III, "EXCAVATIONS," DIVISION 2, "PERMIT," AT SECTIONS 98-93 AND 98-94; FURTHER AMENDING CHAPTER 50, "FIRE PREVENTION AND PROTECTION," TO CREATE SECTIONS 50-9, 50-10, 50-11, 50-12, 50-13, 50-14, AND 50-15; CHAPTER 98, "STREETS AND SIDEWALKS," ARTICLE III, "EXCAVATIONS," DIVISION 2, "PERMIT," TO CREATE SECTIONS 98-95, 98-96, 98-97, 98-98, 98-99, AND 98-100; UPDATING AND CONSOLIDATING THE SECTIONS OF THE CITY CODE OF ORDINANCES THAT REQUIRE THE ASSESSMENT OF FEES FOR PERMITTING SERVICES IN ORDER TO IMPROVE PREDICTABILITY, TRANSPARENCY AND EFFICIENCY OF THE CODE; PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

WHEREAS, the City of Miami Beach has the authority to enact laws which promote the public health, safety and general welfare of its citizens; and

WHEREAS, the Land Development Regulations of the City Code contain fees for development review and other services to cover the costs of implementing the regulations contained therein; and

WHEREAS, the City is in the process of updating of its Enterprise Resource Planning (ERP) program in order to automate, streamline and refine city processes; and

WHEREAS, in order to facilitate the automation of city processes, it is necessary to ensure that fees land development fees be as transparent as possible; and

WHEREAS, the City Administration has reviewed the structure of fees associated with land development and permit review and determined a more efficient, effective and transparent way to assess fees for these services is necessary; and

WHEREAS, the amendments set forth below are necessary to accomplish the above objectives.

NOW THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA:

SECTION 1. That Chapter 14, "Building Regulations," Article II, "Construction Fees," Division 2, "Permit Fees," is hereby amended as follows:

Sec. 14-61. - Permit fees, generally.

* * *

(c) Reinspection fees.

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(2) Payment of the reinspection fee shall be required before any subsequent permits will be issued to the person or entity owing same. Further inspections ~~may~~ shall be withheld until payment of reinspection fees has been made.

(d) Lost plans fee. When permitted set of plans are lost by the applicants, owners, contractors, or any of their representatives, a recertification fee will be required to reproduce, stamp and approve a new set of plans as a field copy. Such fee shall be based on a cost per page as specified in appendix A, plus an administrative processing fee as outlined in appendix A.

(e) Revised plans processing fee. The charge for plans processing of revisions to a permitted set of plans shall be ~~based on the plan reviewer's actual review time multiplied by the hourly rate~~ as specified in appendix A, plus an administrative processing fee as outlined in appendix A.

(f) Lost permit card fee. After a permit has been issued, if the permit inspection card has been lost, a replacement fee as specified in appendix A shall be charged.

(g) ~~Plans review and i~~ Inspection fee hourly rate. The ~~plans review and inspection~~ fee hourly rate, as specified in appendix A, is determined at the beginning of each fiscal year based on the building department's approved overhead and indirect costs and the resources assigned to the ~~plan review and inspection~~ program.

~~(h) Dedicated inspectors. Dedicated inspectors may be requested by the applicant to be assigned solely to their project for a specified number of hours per day. This request may be granted by the building official, at his/her sole discretion and judgment. If a request is granted, the building official will use city inspectors for this effort and secure a contractor to back-fill the regular duties of the city inspector. The applicant will, in addition to the regular permit and other applicable fees, reimburse the direct cost incurred by the city to pay for the services of the contractor who is back-filling for the city inspector.~~

(h)(i) Plans re-review fee. When extra plans reviews are due to the failure to correct code violations specifically and continuously noted in each rejection, including, but not limited to,

egress, fire protection, structural stability, energy, accessibility, lighting ventilation, electrical, mechanical, plumbing, and gas systems, or other requirements identified by the rule of the Florida Building Commission, in compliance with F.S. § 553.80(2)(b), each time after the third such review that plans are rejected for the same code violation, a fee of four times the amount of the proportion of the permit fee shall be attributed to plans review.

~~Plans re-review fee. When extra plans reviews are due to the failure to correct code violations specifically and continuously noted in each rejection, including, but not limited to, egress, fire protection, structural stability, energy, accessibility, lighting ventilation, electrical, mechanical, plumbing, and gas systems, or other requirements identified by the rule of the Florida Building Commission, in compliance with F.S. § 553.80(2)(b), each time after the third such review that plans are rejected for the same code violation, a fee of four times the cost of the upfront fee of that permit.~~

- ~~(i)(j)~~ Expedited plans review and inspection fee. Upon request from the applicant, the department may schedule an expedited plans review or inspection, on an overtime basis by city staff. When such service is provided, a fee as specified in appendix A shall be charged, in addition to the regular permit fee and other applicable fees. Express Expedited plan review service may be requested by the applicant with a cost plus fee incurred in addition to the regular permit fee and other applicable fees.
- ~~(j)(k)~~ Permits for work not identified in appendix A. If it is determined that no specific fee category directly matches a permit application request, the building official may identify a category that closely matches the level of effort or determine what the work will be charged at based on the time dedicated for plans review and inspection. The building official may require an upfront fee and a deposit to cover the estimated cost of the services to be provided.
- ~~(k)(l)~~ City projects. The cost of enforcing state statutes, the building code, or the city's land development regulations on city related projects will be reimbursed based on the actual time spent in the processing, review and inspection of such projects. The payment will be due prior to issuance of the certificate of occupancy or completion for the project. Effective October 1, 2011, for any active permit applied for on or after February 1, 2010, fees shall be based on the permit fee schedule in place at the time of the permit application submittal, and should be paid accordingly.
- ~~(l)(m)~~ [Annual adjustment of rates.] The rates in appendix A pertaining to this division will be administratively adjusted annually to reflect increase(s) or decrease(s) in the Consumer Price Index for all urban consumers, CPI-U. ~~Consumers in the Southeast United States for all items.~~
- ~~(m)(n)~~ Electronic concurrent plan processing. In order to create a more efficient permitting process, the building department ~~has established~~ will be implementing procedures to process plans electronically via ~~a concurrent~~ an automated workflow. Once implemented, the department will request that applicants submit plans in an electronic format. If the applicant chooses to submit paper plans, the director, or his designee has the authority to invoice for reimbursement of the conversion of ~~construction~~ documents submitted to an electronic format
- ~~(o)~~ [Reevaluation of rates.] The rates in Appendix A for permit fees pertaining to this chapter shall be reevaluated administratively ~~no less than every three years from the last adopted changes. Any recommended changes shall be brought to the city commission for consideration and final approval.~~

~~(n)(p)~~ Phase permits. The Building Official is authorized by the Florida Building Code to provide early start approval. The holder of such permit shall proceed at the holder's own risk with the building construction and without assurance that a permit for the entire structure will be granted. A fee as specified in appendix A shall be paid.

~~(o)(q)~~ Private provider fee. When a property owner uses the services of a licensed private company for plan review and inspections services (Private Provider), the fee will be assessed as a regular building permit with a discount of 25% of the original building permit fee. If only the plan review or the inspections are done by the Private Provider, then the fee will be assessed as a regular building permit with a discount of 12.5% of the original building permit fee.

Sec. 14-62. - Building permits.

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(b) Refunds, time limitations, cancellations, change of contractor. The fees charged pursuant to the schedule in appendix A, provided the same are for a permit required by Section 105.1 of the Florida Building Code, may be refunded by the building official subject to the following:

(1) No refunds shall be made on requests involving:

- a. Permit fees of ~~\$100.00~~ the minimum permit fee as specified in appendix A or less; or
- b. Permits for which plans review has commenced; or
- ~~c.b.~~ Permits revoked by the building official under authority granted by the Florida Building Code; or
- ~~d.e.~~ Permits cancelled by court order; or d. Permits which have expired; or
- e. Permits under which work has commenced as evidenced by any recorded inspection having been made by the department, unless the refund is due to an overcharge by the city.

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(3) A full refund less the minimum up-front permit fee and any outside agency fees shall be granted to a permit applicant who requests a refund in writing within one year of payment, provided that no plan review has commenced.

A full refund less ~~\$100.00~~ the minimum permit fee as specified in appendix A or the up-front permit fee, whichever amount is greater, rounded down to the nearest dollar, and any outside agency fees shall be granted to a permit applicant who requests a refund in writing within one year of payment, provided that a permit has not been issued.

A full refund less ~~\$100.00~~ the minimum permit fee as specified in appendix A or the up-front permit fee, whichever amount is greater, rounded down to the nearest dollar, and any outside agency fees shall be granted to a permit holder (to whom a permit has been issued) who requests a refund in writing within one year of payment, provided:

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- (7) Where the permit is revoked, or becomes null and void, or expires because of lack of work or abandonment, a new permit covering the proposed construction shall be obtained before proceeding with the work, pursuant to Section 105.4.1.1 of the Florida Building Code. If no more than 180 days of the expiration date of the original permit has passed, and no refund has been made according to this section, the applicant may apply to renew the permit. The reapplication must be covering the same project and involving the same plans, and must be submitted with the plans and the applicant's validated copy of the original permit. A fee of 25 percent of the original permit fee, plus an additional ~~\$57.00~~ processing fee equivalent to the minimum permit fee as specified in appendix A, shall be charged for a renewal under these circumstances.

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Sec. 14-66. - Certificates of occupancy or completion and ~~certificate of use.~~

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~~(2) Certificate of use.~~

- a. ~~No new building or premises or part thereof, except one and two family residences, shall be occupied until a certificate of use is issued by the city. Certificates of use shall not be issued until the premises have been inspected and found to comply with all requirements of this Code.~~
1. ~~Apartment buildings, hotels and other multiple residential occupancies containing three or more units and occupied by only residential tenants shall require one certificate of use. Where these occupancies contain commercial activities in addition to residential tenants, an additional certificate of use for each commercial activity contained in the building shall be required.~~
2. ~~Industrial, office and commercial buildings being occupied by a single tenant shall require one certificate of use. If an industrial, office or commercial building contains more than one tenant, an additional certificate of use shall be required for each unit occupied therein.~~
- b. ~~A certificate of use must be obtained annually. Certificate of use renewal fees are due and payable on June 1 of each year. Any person failing to timely apply for the annual renewal of a certificate of use may be issued a certificate of use only upon payment of a delinquency penalty of ten percent for the month of July or portion thereof and an additional five percent for each month of delinquency thereafter or portion thereof until paid. Renewal payments must be received by the license section prior to the first day of each penalty month to avoid additional penalties.~~
- c. ~~The first certificate of use issued in conjunction with a new building shall be issued at the time when a certificate of occupancy is issued and at no cost. Where individual certificates of use are required, a certificate of use shall be obtained and the charge shall be as established in subsection g., below.~~

- ~~d. As of the effective date of this subsection, all existing buildings or premises subject to this subsection must obtain a certificate of use.~~
- ~~e. Upon the issuance of a certificate of use for a building or premises, an annual inspection will be conducted thereafter to determine that each building or premises complies with all code requirements of the city.~~
- ~~f. In order to obtain a certificate of use, an original fee shall be paid for the purpose of defraying the costs of all the original inspections. An annual renewal fee shall be paid to defray the costs of these annual inspections necessary to determine compliance.~~
- ~~g. The fees for certificates of use shall be as specified in appendix A.~~

Sec. 14-67. - Forty-year building recertification program.

- (a) There shall be a fee per building as specified in appendix A for the 40-year building recertification program, as required under Miami-Dade County Code Chapter 8, Section 8-11(f) and as said section may be amended from time to time. A six (6) month extension for building recertification may be granted by the building official. An extension fee as specified in appendix A shall be assessed.

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Sec. 14-68. - Annual facility permit Reserved.

~~The Building Official is authorized by the Florida Building Code to issue an annual facility permit. Each firm or organization which obtains an annual facility permit shall include in their application for such permit a list of licensed maintenance personnel assigned to building, electrical, plumbing or mechanical work and the estimated annual maintenance costs. The fee shall be computed using the permit fee specified in appendix A for commercial alteration/remodeling. The minimum annual facility permit fee shall be as specified in appendix A. At the expiration of the annual facility permit, the job log shall be submitted to the building department for the calculation and payment of any additional fee due for the work performed according to the job log. No new annual facility permit shall be issued until the full amount for the prior year has been paid.~~

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Sec. 14-70. - General information.

This section contains a list of other fees collected by the building department for other departments or agencies. Specific amounts are given in appendix A.

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- (4) Reserved. ~~A fee shall be charged to any building or structure for which a certificate of occupancy is being issued.~~

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Sec. 14-72. - Interest and other charges.

- (1) The city is authorized to charge interest to any amount due when not paid by the due date. The interest rate shall be at the highest legal limit authorized by law, plus collection costs and attorneys' fees.
- (2) Documents. Requests for copies of building department records, inspection reports, logs, or similar documents maintained by the building department will be charged a fee as specified in appendix A.

SECTION 2. That Chapter 15, "Zoning Review Fee Associated with the Building Permit Process," Article II, "Zoning Review Fees Associated with the Building Permit Process," is hereby amended as follows:

Sec. 15-31. - Zoning review fees associated with the building permit process levied.

- (a) Levied Permits. A separate zoning review fee associated with the building permit plans review process is hereby levied and imposed, and shall apply to the city's planning department zoning reviews of building, plumbing, electrical and mechanical permits and other plans review activities associated with the permit plans review process undertaken by that department. Said fee shall be collected by the building department on behalf of the planning department. Inspections and other fees of the planning department of the city are hereby levied and imposed and shall apply to building, plumbing, electrical and mechanical permits and other activities undertaken by that department as outlined in appendix A.
- (b) Double fees. Any person who commences any work on a building, structure, electrical, gas, mechanical or plumbing systems before obtaining the building official's approval or the necessary permits shall be subject to a penalty of 100 percent of the required permit fee, in addition to the required permit fees, plus a penalty for the first, second and subsequent offenses as outlined in appendix A.
- (c) Reinspection fees.
 - (1) With respect to inspections, if the city finds it necessary, in order to enforce compliance with state statutes, the Florida Building Code, and the city's land development regulations to conduct an inspection, after an initial inspection and one subsequent reinspection, of any project or activity for the same code violation specifically and continuously noted in each rejection, including but not limited to, egress, fire protection, structural stability, energy, accessibility, lighting, ventilation, electrical, mechanical, plumbing, and gas systems, or other requirements identified by the rule of the Florida Building Commission, state statutes or the city's land development regulations, a fee of four (4) times the cost of initial inspection or first reinspection, whichever is greater, for each subsequent reinspection shall be paid. The inspection cost is determined by multiplying the actual time spent by the inspector by the inspection fee hourly rate, as defined in subsection 15-31(g) and as specified in appendix A.

- (2) Payment of the reinspection fee shall be required before any subsequent permits will be issued to the person or entity owing same. Further inspections SHALL be withheld until payment of reinspection fees has been made.
- (d) Lost plans fee. When permitted set of plans are lost by the applicants, owners, contractors, or any of their representatives, a recertification fee will be required to reproduce, stamp and approve a new set of plans as a field copy. Such fee shall be based on a cost per page as specified in appendix A.
- (e) Revised plans review fee. The charge for plans review of revisions to a permitted set of plans shall be as specified in appendix A.
- (f) Lost permit card fee. After a permit has been issued, if the permit inspection card has been lost, a fee as specified in appendix A shall be charged to resign or recertify the replacement.
- (g) Inspection fee hourly rate. The inspection fee hourly rate, as specified in appendix A, is determined at the beginning of each fiscal year based on the department's approved overhead and indirect costs and the resources assigned to inspection program.
- (h) Plans re-review fee. When extra plans reviews are due to the failure to correct code violations specifically and continuously noted in each rejection, including, but not limited to, egress, fire protection, structural stability, energy, accessibility, lighting ventilation, electrical, mechanical, plumbing, and gas systems, or other requirements identified by the rule of the Florida Building Commission, in compliance with F.S. § 553.80(2)(b), each time after the third such review that plans are rejected for the same code violation, a fee of four times the amount of the proportion of the permit fee shall be attributed to plans review.
- (i) Expedited plans review and inspection fee. Upon request from the applicant, the department may schedule an expedited plans review or inspection, on an overtime basis by city staff. When such service is provided, a fee as specified in appendix A shall be charged, in addition to the regular permit fee and other applicable fees. Expedited plan review service may be requested by the applicant with a cost plus fee incurred in addition to the regular permit fee and other applicable fees.
- (j) Permits for work not identified in appendix A. If it is determined that no specific fee category directly matches a permit application request, the department director may identify a category that closely matches the level of effort or determine what the work will be charged based on the time dedicated for plans review and inspection. The department director may require an upfront fee and a deposit to cover the estimated cost of the services to be provided.
- (k) City projects. The cost of enforcing state statutes, building code or the city's land development regulations on city related projects will be reimbursed based on the actual time spent in the processing, review and inspection of such projects. The payment will be due prior to issuance of the certificate of occupancy or completion for the project. Effective October 1, 2011, for any active permit applied for on or after February 1, 2010, fees shall be based on the permit fee schedule in place at the time of the permit application submittal, and should be paid accordingly.
- (l) Annual adjustment of rates. The rates in appendix A pertaining to this division will be administratively adjusted annually to reflect increase(s) or decrease(s) in the Consumer Price Index for all urban consumers, CPI-U.
- (m) Electronic concurrent plan processing. In order to create a more efficient permitting process, the building department will be implementing procedures to process plans

electronically via an automated workflow. Once implemented, the department will request that applicants submit plans in an electronic format. If the applicant chooses to submit paper plans, the director, or his designee has the authority to invoice for reimbursement of the conversion of documents submitted to an electronic format.

- (n) Phase permits. The Building Official is authorized by the Florida Building Code to provide early start approval. The holder of such permit shall proceed at the holder's own risk with the building construction and without assurance that a permit for the entire structure will be granted. A fee as specified in appendix A shall be paid for the planning department's review if necessary.

~~———— A separate zoning review fee associated with the building permit plans review process is hereby levied and imposed, and shall apply to the city's planning department zoning reviews of building, plumbing, electrical and mechanical permits and other plans review activities associated with the permit plans review process undertaken by that department. Said fee shall be collected by the building department on behalf of the planning department (see also subsection 14-70(6)).~~

Sec. 15-32. - Fees Building permits.

(a) Up-front processing fee.

- (1) When the building permit application is received, the applicant shall pay an "up front" processing fee as specified in appendix A.
- (2) This processing fee is not refundable, but shall be credited toward the final building permit fee. The "up front" processing fee, after it is calculated, shall be rounded up to the nearest \$5.00, with a minimum fee as specified in appendix A.

(b) Refunds, time limitations, cancellations, change of contractor. The fees charged pursuant to the schedule in appendix A, provided the same are for a permit required by Section 105.1 of the Florida Building Code, may be refunded by the building official subject to the following:

- (1) No refunds shall be made on requests involving:
 - a. Permit fees of the minimum permit fee as specified in appendix A or less; or
 - b. Permits for which plans review has commenced; or
 - c. Permits revoked by the building official under authority granted by the Florida Building Code; or
 - d. Permits cancelled by court order; or
 - d. Permits which have expired; or
 - e. Permits under which work has commenced as evidenced by any recorded inspection having been made by the department, unless the refund is due to an overcharge by the city.
- (2) A full refund shall be granted to a permit holder who takes out a permit covering work outside the jurisdictional inspection area.
- (3) A full refund less the minimum up-front permit fee and any outside agency fees shall be granted to a permit applicant who requests a refund in writing within one year of payment, provided that no plan review has commenced.

A full refund less the minimum permit fee as specified in appendix A or the up-front permit fee, whichever amount is greater, rounded down to the nearest dollar, and any outside agency fees shall be granted to a permit applicant who requests a refund in writing within one year of payment, provided that a permit has not been issued.

A full refund less the minimum permit fee as specified in appendix A or the up-front permit fee, whichever amount is greater, rounded down to the nearest dollar, and any outside agency fees shall be granted to a permit holder (to whom a permit has been issued) who requests a refund in writing within one year of payment, provided:

- a. That the permit holder makes a written request prior to the permit expiration date; and
- b. That no work as evidenced by any recorded inspection has commenced under such permit.

- (4) Where the permit is revoked, or becomes null and void, or expires because of lack of work or abandonment, a new permit covering the proposed construction shall be obtained before proceeding with the work, pursuant to Section 105.4.1.1 of the Florida Building Code. If no more than 180 days of the expiration date of the original permit has passed, and no refund has been made according to this section, the applicant may apply to renew the permit. The reapplication must be covering the same project and involving the same plans, and must be submitted with the plans and the applicant's validated copy of the original permit. A fee of 25 percent of the original permit fee, plus an additional processing fee equivalent to the minimum permit fee as specified in appendix A, shall be charged for a renewal under these circumstances.

For permits that have expired where the only missing component is one or more final inspections, the fee for reopening the permit, performing the final inspection(s), and providing a final approval on the permit shall be charged based on the minimum building permit fee.

- (5) Every application submitted for permit will be evaluated and fees assessed accordingly whether it is for a master permit a standalone permit or a subcontract/trade subsidiary permit. All submittals will be assessed the fees as prescribed in appendix A, or the minimum permit fee, whichever is greater.

(c) Planning Fees associated with a building permit are as specified in appendix A.

Fees are as prescribed in appendix A.

Sec. 15-33. – Up-front processing fee Certificates of occupancy or completion.

Certificate of occupancy or completion. In order to obtain temporary, or final occupancy or completion as required by the Florida Building Code, the following original fees shall be paid for the purpose of defraying the costs of processing the certificate, including any necessary inspections.

- a. Final certificate of occupancy or completion. Certificate of occupancy or completion fees shall be as specified in appendix A.
- b. Temporary certificate of occupancy or completion. Temporary certificate of occupancy or completion fees shall be as specified in appendix A. The certificate of occupancy or

completion is the certificate of use for that facility for the first year of operation or part thereof.

~~When the permit application is received, the applicant shall pay an "up front" processing fee as specified in appendix A. This processing fee is not refundable, but shall be credited toward the final zoning review fee. The "up front" processing fee, after it is calculated, shall be rounded up to the nearest \$5.00, with a minimum fee as specified in appendix A. When the up front processing fee is larger than the final permit fee, not including surcharges, that up front processing fee amount shall become the permit fee for that application.~~

Sec. 15-34. – ~~Double fees~~ Forty-year building recertification program.

There shall be a plan review and inspection fee for repairs or modifications to buildings as required by the 40-year building recertification program, pursuant to Miami-Dade County Code Chapter 8, Section 8-11(f).

~~Any person who commences any work on a building, structure, electrical, gas, mechanical or plumbing systems before obtaining the city's approval of plans or the necessary permits shall be subject to a penalty of 100 percent of the usual permit fee, in addition to the permit fee.~~

Sec. 15-35. - ~~Revised plans processing fee~~ Employee training, education, safety and technology enhancements.

A surcharge to building, electrical, mechanical, plumbing and demolition permits will be added for training, education and safety of the planning department employees, and to procure and implement the latest technologies available for enhancement of services provided by the department, according to the schedule specified in appendix A.

~~The charge for processing of revisions to a permitted set of plans shall be as specified in appendix A.~~

Sec. 15-36. – ~~Plan review and inspection fee hourly rate~~ General information.

a. A separate fire safety, public works and/or zoning review fee associated with the building permit process shall be charged as outlined in appendix A.

b. Documents. Requests for copies of planning department records, inspection reports, logs, or similar documents maintained by the planning department will be charged a fee as specified in appendix A.

~~The plan review and inspection fee hourly rate for miscellaneous plan review, expedited plans review and/or overtime plan review, if made available at the discretion of the planning department, is determined at the beginning of each fiscal year based on the department's~~

~~approved budget, overhead and indirect costs and the resources assigned to the plans review and inspection program.~~

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SECTION 3. That Chapter 50, "Fire Prevention and Protection," is hereby amended as follows:

Sec. 50-3. - Plans examination, inspections, permits.

- (a) Levied Permits. A separate fire department review fee associated with the building permit plans review process is hereby levied and imposed, and shall apply to the city's fire department reviews of building, plumbing, electrical and mechanical permits and other plans review activities associated with the permit plans review process undertaken by that department. Said fee shall be collected by the building department on behalf of the fire department. Inspections and other fees of the fire department of the city are hereby levied and imposed and shall apply to building, plumbing, electrical and mechanical permits and other activities undertaken by that department as outlined in appendix A.
- (b) Double fees. Any person who commences any work on a building, structure, electrical, gas, mechanical or plumbing systems before obtaining the building official's approval or the necessary permits shall be subject to a penalty of 100 percent of the required permit fee, in addition to the required permit fees, plus a penalty for the first, second and subsequent offenses as outlined in appendix A.
- (c) Reinspection fees.
 - (1) With respect to inspections, if the city finds it necessary, in order to enforce compliance with state statutes, the National Fire Protection Association (NFPA) 101 Life Safety Code, the Florida Building Code, and the city's land development regulations to conduct an inspection, after an initial inspection and one subsequent reinspection, of any project or activity for the same code violation specifically and continuously noted in each rejection, including but not limited to, egress, fire protection, structural stability, energy, accessibility, lighting, ventilation, electrical, mechanical, plumbing, and gas systems, or other requirements identified by the rule of the Florida Building Commission, state statutes or the city's land development regulations, a fee of four times the cost of initial inspection or first reinspection, whichever is greater, for each subsequent reinspection shall be paid. The inspection cost is determined by multiplying the actual time spent by the inspector by the inspection fee hourly rate, as defined in subsection 15-31(g) and as specified in appendix A.
 - (2) Payment of the reinspection fee shall be required before any subsequent permits will be issued to the person or entity owing same. Further inspections **shall** be withheld until payment of reinspection fees has been made.
- (d) Lost plans fee. When permitted set of plans are lost by the applicants, owners, contractors, or any of their representatives, a recertification fee will be required to reproduce, stamp and approve a new set of plans as a field copy. Such fee shall be based on a cost per page as specified in appendix A.
- (e) Revised plans review fee. The charge for plans review of revisions to a permitted set of plans shall be as specified in appendix A.

- (f) Lost permit card fee. After a permit has been issued, if the permit inspection card has been lost, a fee as specified in appendix A shall be charged to resign or recertify the replacement.
- (g) Inspection fee hourly rate. The inspection fee hourly rate, as specified in appendix A, is determined at the beginning of each fiscal year based on the department's approved overhead and indirect costs and the resources assigned to inspection program.
- (h) Plans re-review fee. When extra plans reviews are due to the failure to correct code violations specifically and continuously noted in each rejection, including, but not limited to, egress, fire protection, structural stability, energy, accessibility, lighting ventilation, electrical, mechanical, plumbing, and gas systems, or other requirements identified by the rule of the Florida Building Commission, in compliance with F.S. § 553.80(2)(b), each time after the third such review that plans are rejected for the same code violation, a fee of four times the amount of the proportion of the permit fee shall be attributed to plans review.
- (i) Expedited plans review and inspection fee. Upon request from the applicant, the department may schedule an expedited plans review or inspection, on an overtime basis by city staff. When such service is provided, a fee as specified in appendix A shall be charged, in addition to the regular permit fee and other applicable fees. Expedited plan review service may be requested by the applicant with a cost plus fee incurred in addition to the regular permit fee and other applicable fees.
- (j) Permits for work not identified in appendix A. If it is determined that no specific fee category directly matches a permit application request, the fire marshal may identify a category that closely matches the level of effort or determine what the work will be charged at based on the time dedicated for plans review and inspection. The fire marshal may require an upfront fee and a deposit to cover the estimated cost of the services to be provided.
- (k) City projects. The cost of enforcing state statutes, building code or the city's land development regulations on city related projects will be reimbursed based on the actual time spent in the processing, review and inspection of such projects. The payment will be due prior to issuance of the certificate of occupancy or completion for the project. Effective October 1, 2011, for any active permit applied for on or after February 1, 2010, fees shall be based on the permit fee schedule in place at the time of the permit application submittal, and should be paid accordingly.
- (l) [Annual adjustment of rates.] The rates in appendix A pertaining to this division will be administratively adjusted annually to reflect increase(s) or decrease(s) in the Consumer Price Index for all urban consumers, CPI-U.
- (m) Electronic concurrent plan processing. In order to create a more efficient permitting process, the building department will be implementing procedures to process plans electronically via an automated workflow. Once implemented, the department will request that applicants submit plans in an electronic format. If the applicant chooses to submit paper plans, the director, or his designee has the authority to invoice for reimbursement of the conversion of documents submitted to an electronic format.
- (n) Phase permits. The Building Official is authorized by the Florida Building Code to provide early start approval. The holder of such permit shall proceed at the holder's own risk with the building construction and without assurance that a permit for the entire structure will be granted. A fee as specified in appendix A shall be paid for the fire department's review if necessary.
- (o) Reserved.

- ~~(p) Specialty permit. Such permits will include temporary and special event permits. A fee for plan review and inspections of these permits will be charged as specified in appendix A.~~
- ~~(a) Levied. Permits, inspections and other fees of the City of Miami Beach Fire Department are hereby levied and imposed and shall apply to building and fire permits and other activities undertaken by that department.~~
- ~~(b) Double fees. When work for which a building or fire permit is required is commenced prior to the obtaining of a permit, the permit applicant shall be required to pay a double permit fee plus a penalty as specified in this article. The payment of the required fee shall not relieve any person, firm or corporation from fully complying with all of the applicable regulations and codes, nor shall it relieve them from being subject to any of the penalties therein. The double fee requirement shall be applicable as noted herein. For a second offense of doing work without a permit, the permit applicant shall be required to pay the double permit fee plus a penalty. For each subsequent offense, the permit applicant shall be required to pay the double permit fee plus a penalty.~~
- ~~(c) Reinspection fee. When extra inspection trips are necessary due to an incorrect address given on a call for inspection, prior rejection of work due to faulty construction, work not being ready for inspection at the time specified, failure to call for final or other inspections, or required corrections not being made or completed at the time specified by the contractor, a fee as specified in appendix A for the second reinspection may be charged to the permit holder in the trade concerned. Payment of the reinspection fee shall be required before any permits will be issued to the person owing the fee. Further inspection may be refused until payment of reinspection fees has been made.~~
- ~~(d) Lost plans fee. When permitted set of plans for fire protection systems are lost by the applicant(s), owner(s), contractor(s), or any other representative of the project, a recertification fee will be required to reproduce, review, stamp and approve a new set of plans as a field copy. Such fee shall be based on the cost designated by the building department.~~
- ~~(e) Revised plans processing fee. The charge for plans processing of revisions to plans reprocessed and permitted shall be based on total actual time spent on review by plans examiners multiplied by plans review fee hourly rate as specified in appendix A.~~
- ~~(f) Lost permit card fee. If the permit inspection card is lost after the permit has been issued, a replacement fee as specified in appendix A shall be charged. This fee is charged to cover the cost of researching inspection approvals and re-signing the card.~~
- ~~(g) Special inspection fee. Upon request of an interested party and availability of fire department staff, a fire inspection of a building or facility may be performed. A fee equal to actual staff time and related costs shall be assessed for special fire inspections with a minimum fee as specified in appendix A shall be charged. Requests submitted by developers, attorneys, realtors or contractors to inspect a building to determine existing violations shall be considered special inspections.~~
- ~~(h) Inspection fee hourly rate. The inspection fee hourly rate is calculated at the beginning of each fiscal year based on the department's approved budget, overhead and indirect costs and the resources assigned to the inspection program.~~
- ~~(i) Plans review fee hourly rate. The plan review fee hourly rate is calculated at the beginning of each fiscal year based on the department's approved budget, overhead and indirect costs and the resources assigned to the plans review program.~~

- ~~(j) Plans re-review fee. When extra plans reviews are due to the failure to correct a code violation specifically and continuously noted in each rejection, a fee shall be charged as specified in appendix A. Each time after the third such review that plans are rejected for the same code violation, a fee of four times the cost associated with the specific plans review shall be charged. The cost is calculated based on the actual time spent by plans examiners multiplied by the plans review fee hourly rate, as specified in appendix A.~~
- ~~(k) Expedited plan review and inspection services. Upon a request from the applicant, the department may provide a plans review or inspection on an overtime basis by department staff. When such service is provided, the applicant will reimburse the department for the cost of this service.~~
- ~~(l) Certificate of occupancy or certificate of completion. A fire department inspection approval is required before a certificate of occupancy or certificate of completion is issued for applicable building permits. A fee for this inspection is included in the applicable building permit fee.~~
- ~~(1) Whenever there is a request for a certificate of occupancy, where there is a change of occupancy/use and no building permit involved, the applicant will be charged a fee for inspection cost at an hourly rate.~~
- ~~(2) Whenever the applicant requests a temporary certificate of occupancy or completion, the applicant will be charged an hourly rate for the fire inspections and/or any plans review required to approve the final certificate of occupancy or completion. The fee shall be charged as specified in appendix A.~~
- ~~(3) Whenever the applicant requests a partial certificate of occupancy or completion, a fee will be charged as specified in appendix A for the subsequent partial certificate of occupancy or completion and final certificate of occupancy/completion based on the hourly rate for inspections and plans review required to approve such certificate(s).~~
- ~~(m) Refunds, time limitations, cancellation, change of contractor. The fees charged pursuant to this Code, may be refunded by the fire marshal subject to the following:~~
- ~~(1) No refunds shall be made on requests involving:~~
- ~~a. Permit fees of \$100.00 or less; or~~
- ~~b. Permits revoked by the fire marshal or building official; or~~
- ~~c. Permits cancelled by court order; or~~
- ~~d. Permits which have expired; or~~
- ~~e. Permits under which work has commenced as evidenced by any recorded inspection having been made by the fire department.~~
- ~~(2) A full refund shall be granted to a permit holder who takes out a permit covering work outside the jurisdictional inspection area.~~
- ~~(3) A full refund less the minimum up front permit fee and any outside agency fees shall be granted to a permit applicant who requests a refund in writing, provided that no plan review has commenced.~~
- ~~A full refund less \$100.00 or the up front permit fee, whichever amount is greater, rounded down to the nearest dollar, and any outside agency fees shall be granted to a permit applicant who requests a refund in writing, provided that a permit has not been issued.~~

~~A full refund less \$100.00 or the up-front fee, whichever amount is greater, rounded down to the nearest dollar, and any outside agency fees shall be granted to a permit holder (to whom a permit has been issued) who requests a refund in writing, provided:~~

- ~~a. That the permit holder makes a written request prior to the permit expiration date; and~~
 - ~~b. That a validated copy of the permit be submitted with such request; and~~
 - ~~c. That no work, as evidenced by any recorded inspection, has commenced under such permit.~~
- ~~(4) Where there is a change of contractor involving a permit for which a fee of more than \$100.00 was paid:~~
- ~~a. The original permit holder:~~
 - ~~1. Is not entitled to any refund if the permit has expired or if work, as evidenced by any recorded inspection, has commenced under such permit;~~
 - ~~2. Is entitled to a full refund less \$100.00 or the upfront fee, whichever is greater, where the permit has not expired and no work, as evidenced by any recorded inspection, has commenced.~~
 - ~~b. The second permit holder shall pay:~~
 - ~~1. A full fee as specified in appendix A for the type of work, if the original permit has expired; or~~
 - ~~2. A fee of \$100.00 to cover the cost of transferring the data from the original to the second permit and processing the second permit in instances where work, as evidenced by any recorded inspection, has commenced under the original unexpired permit;~~
 - ~~3. A full fee as specified in appendix A for the type of work plus a fee of \$100.00 to cover the transferring and reprocessing costs where no work, as evidenced by any recorded inspection, has commenced under the original unexpired permit.~~
- ~~(5) A fee as specified in appendix A shall be paid by the permit holder who submits a written request for a permit extension.~~
- ~~(6) Where the permit is revoked, or becomes null and void, or expires because of lack of work or abandonment, a new permit covering the proposed construction shall be obtained before proceeding with the work pursuant to Section 105.4.1.1 of the Florida Building Code. If no more than 180 days of the expiration date of the original permit has passed, and no refund has been made according to this section, the applicant may apply to renew the permit. The reapplication must be covering the same project and involving the same plans, and must be submitted with the plans and the applicant's validated copy of the original permit. A fee of 25 percent of the original permit fee, plus an additional \$57.00 processing fee, shall be charged for a renewal under these circumstances.~~

~~Where the permit is revoked or becomes null and void or expires because of lack of work or abandonment, a new permit covering the proposed construction shall be obtained before proceeding with the work, pursuant to Section 105.4.1.1 of the Florida Building Code. If more than 180 days but no more than 365 days since the expiration date of the original permit has passed, and no refund has been made according to this~~

~~section, the applicant may apply to renew the permit. The reapplication must be covering the same project and involving the same plans, and must be submitted with the plans and the applicant's validated copy of the original permit. A fee of 25 percent of the original permit fee, plus a fee of 20 percent of the new permit fee, shall be charged for a renewal under these circumstances.~~

~~For permits that have expired where the only missing component is one or more final inspections, the fee for reopening the permit, performing the final inspection(s), and providing a final approval on the permit shall be charged at based on the time dedicated for inspection(s).~~

- ~~(n) Employee training, education, safety and technology enhancements. A surcharge to fire permits will be added for training, education, safety of the fire prevention employees, and to procure and implement the latest technologies available for enhancement of services provided by the building department or fire department.~~
- ~~(o) Upfront fee. When a building permit or fire permit application is received, the applicant shall pay an "up front" processing fee as specified in appendix A. This up front fee will cover the cost of processing and reviewing such permit application. This fee is not refundable, but shall be credited toward the final permit fee.~~
- ~~(p) Building permits. Plans submitted for applicable building permits issued by the building department must be reviewed and approved by the fire department before a permit can be issued. Such building permits will include new construction, additions, renovations, specialty permits, stand alone permits for residential and commercial buildings, other than single family and two family dwellings, within the City of Miami Beach. A fee for plan review and inspections of these permits will be charged as specified in appendix A.~~
- ~~(q) Fire permits. A fire permit is required for installation, modification, or deletion of any component of a fire detection or protection system. A fire permit is issued by the fire marshal and processed by the building department for components or systems designed for smoke detection, fire alarm, fire protection or fire suppression or similar systems. A fee for the plan review, acceptance test, and inspection of work under a fire permit will be charged as specified in appendix A to include services provided by fire department staff.~~
- ~~(r) Hydrant flow test. Upon a request from an applicant, a hydrant flow test will be performed by fire department personnel and results provided to the applicant within a reasonable time after receipt of request. A flow test may not be performed whenever the city, county, or state has any water flowing restrictions imposed on the water supply of the City of Miami Beach. A fee will be charged for each flow test as specified in appendix A.~~
- ~~(s) Occupant content sign. Owners, managers, or operators of any assembly occupancy in the City of Miami Beach must obtain an occupant content sign issued by the fire marshal and processed by the building department. A fee for plan review and inspection related to the occupant content sign will be charged as specified in appendix A.~~
- ~~(t) Pyrotechnic displays permit. Any person or entity using, storing, or displaying pyrotechnic devices indoor or outdoor of any facility within the City of Miami Beach must first obtain a permit issued by the fire department. A fee for plan review and inspection will be charged as specified in appendix A. Additional fee will be charged for staffing of fire department personnel as determined by the fire chief. Any person or entity who does not obtain a permit, provides false information in order to obtain the permit, or who violates any provision in said permit will be charged a fine equal to the double fee as specified in subsection 50-3(d).~~

- ~~(u) Fireworks permit. Any person or entity using, storing, or displaying fireworks for private or public display within the City of Miami Beach must first obtain a permit issued by the fire department. A fee for plan review and inspection will be charged as specified in appendix A. Additional fee will be charged for staffing of fire department personnel as determined by the fire chief. Any person or entity who does not obtain a permit, provides false information in order to obtain the permit, or who violates any provision in said permit will be charged a fine equal to the double fee as specified in subsection 50-3(d).~~
- ~~(v) Open burning permit. Any person or entity engaged in open burning activity must first obtain a permit issued by the fire department. A fee for plan review and inspection will be charged as specified in appendix A. Additional fee will be charged for staffing of fire department personnel as determined by the fire chief. Any person or entity who does not obtain a permit, provides false information in order to obtain the permit, or who violates any provision in said permit will be charged a fine equal to the double fee as specified in subsection 50-3(d).~~
- ~~(w) Bonfire permit. Any person or entity engaged in a bonfire activity must first obtain a permit issued by the fire department. A fee for plan review and inspection will be charged as specified in appendix A. Additional fee will be charged for staffing of fire department personnel as determined by the fire chief. Any person or entity who does not obtain a permit, provides false information in order to obtain the permit, or who violates any provision in said permit will be charged a fine equal to the double fee as specified in subsection 50-3(d).~~
- ~~(x) Special events. All special events permits issued by the City of Miami Beach must be reviewed and approved by the fire department. A fee for the plan review and inspection of each special event will be charged to the applicant as specified in appendix A.~~
- ~~(y) Trade shows. All trade shows or public events taking place at the Miami Beach Convention Center or other public facility must be reviewed and approved by the fire department. A fee for plan review and inspection will be charged to the applicant as specified in appendix A.~~
- ~~(z) Sidewalk cafe permits. All sidewalk cafes must be approved by the fire department before a permit is issued by the city. A fee for plan review and inspection will be charged as specified in appendix A.~~
- ~~(aa) Special master. Special master cases such as mitigation of fines requiring research and testimony of fire department personnel will be charged a fee to the applicant as specified in appendix A.~~
- ~~(bb) Documents. Requests for copies of fire department records, inspection reports, logs, or similar documents maintained by the fire marshal's office will be charged a fee as specified in appendix A.~~
- ~~(cc) [Adjusted rates.] The rates in appendix A pertaining to this section will be administratively adjusted annually to reflect increase(s) or decrease(s) in Consumer Price Index for Consumers in the Southeast United States for all items, unless otherwise directed by the city commission. Notwithstanding the preceding sentence, the rate adjustments set to take place in February 2011 and February 2012 shall be waived, finding such waiver to be in the best interest of the city and the public.~~
- ~~(dd) [Reevaluation schedule of rates.] The rates in appendix A for permit fees pertaining to this chapter shall be reevaluated administratively no less than every three years from the last adopted changes. Any recommended changes shall be brought to the city commission for consideration and final approval.~~

~~(ee) Permits for work not identified in appendix A. If it is determined that no specific fee category directly matches a permit application request, the fire marshal may identify a category that closely matches the level of effort or determine what the work will be charged at based on the time dedicated for plans review and inspection. The fire marshal may require an up-front fee and a deposit to cover the estimated cost of the services to be provided.~~

Sec. 50-4. - Enforcement by fire inspectors-Building permits.

(a) Up-front processing fee.

(1) When the building permit application is received, the applicant shall pay an "up front" processing fee as specified in appendix A.

(2) This processing fee is not refundable, but shall be credited toward the final building permit fee. The "up front" processing fee, after it is calculated, shall be rounded up to the nearest \$5.00, with a minimum fee as specified in appendix A.

(b) Refunds, time limitations, cancellations, change of contractor. The fees charged pursuant to the schedule in appendix A, provided the same are for a permit required by Section 105.1 of the Florida Building Code, may be refunded by the building official subject to the following:

(1) No refunds shall be made on requests involving:

a. Permit fees of the minimum permit fee as specified in appendix A or less; or

b. Permits for which plans review has commenced; or

c. Permits revoked by the building official under authority granted by the Florida Building Code; or

d. Permits cancelled by court order; or d. Permits which have expired; or

e. Permits under which work has commenced as evidenced by any recorded inspection having been made by the department, unless the refund is due to an overcharge by the city.

(2) A full refund shall be granted to a permit holder who takes out a permit covering work outside the jurisdictional inspection area.

(3) A full refund less the minimum up-front permit fee and any outside agency fees shall be granted to a permit applicant who requests a refund in writing within one year of payment, provided that no plan review has commenced.

A full refund less the minimum permit fee as specified in appendix A or the up-front permit fee, whichever amount is greater, rounded down to the nearest dollar, and any outside agency fees shall be granted to a permit applicant who requests a refund in writing within one year of payment, provided that a permit has not been issued.

A full refund less the minimum permit fee as specified in appendix A or the up-front permit fee, whichever amount is greater, rounded down to the nearest dollar, and any outside agency fees shall be granted to a permit holder (to whom a permit has been issued) who requests a refund in writing within one year of payment, provided:

a. That the permit holder makes a written request prior to the permit expiration date; and

b. That no work as evidenced by any recorded inspection has commenced under such permit.

- (4) Where the permit is revoked, or becomes null and void, or expires because of lack of work or abandonment, a new permit covering the proposed construction shall be obtained before proceeding with the work, pursuant to Section 105.4.1.1 of the Florida Building Code. If no more than 180 days of the expiration date of the original permit has passed, and no refund has been made according to this section, the applicant may apply to renew the permit. The reapplication must be covering the same project and involving the same plans, and must be submitted with the plans and the applicant's validated copy of the original permit. A fee of 25 percent of the original permit fee, plus an additional processing fee equivalent to the minimum permit fee as specified in appendix A, shall be charged for a renewal under these circumstances.

For permits that have expired where the only missing component is one or more final inspections, the fee for reopening the permit, performing the final inspection(s), and providing a final approval on the permit shall be charged based on the minimum building permit fee.

- (5) Every application submitted for permit will be evaluated and fees assessed accordingly whether it is for a master permit a standalone permit or a subcontract/trade subsidiary permit. All submittals will be assessed the fees as prescribed in appendix A, or the minimum permit fee, whichever is greater.

(c) Fire Fees associated with a building permit are as specified in appendix A.

- ~~(a) Notice of violation. If, upon inspection, a fire inspector finds that a fire code violation exists based on the Florida Fire Prevention Code, Miami-Dade County Fire Code, or the City of Miami Beach Code, as may be amended from time to time, the fire inspector shall document the list of violations using a Fire Department form. The Notice of Violation shall indicate the name of violator, address of establishment inspected, the date of the inspection, and the name of the inspector. The Notice of Violation shall describe the code requirement, which is not in compliance, and indicate timeframe within which to correct said violation(s).~~

- ~~(1) The violator can appeal the interpretation of the code requirement to the inspector's supervisor and finally to the Fire Marshal of the City of Miami Beach after providing evidence that the condition present does not constitute a code violation. If the Fire Marshal affirms that the code violation does exist, then the violator can appeal a decision of the Fire Marshal to the Miami-Dade County Fire Safety and Prevention Board of Appeal as provided for in the Florida Fire Prevention Code, and as provided for in Chapter 14, Miami-Dade County Code.~~

- ~~(2) If the violator does not correct the violation within the indicated time frame, the fire inspector, or designee of the Fire Marshal, shall follow enforcement proceedings through the Special Master process as provided in Chapter 30 of the City of Miami Beach Code.~~

- ~~(b) Citation. In lieu of a Notice of Violation, or in addition to a Notice of Violation, the fire inspector can issue a citation for the following offenses listed below. The citation shall state the name of the violator, the date and time of the violation, address of the violation, amount of fine for which the violator is liable, instructions, due date for paying the fine, and the appeal process.~~

- ~~(1) Locked exits. If, upon inspection, a fire inspector finds a locked exit as defined in the Florida Fire Prevention Code as a door requiring a key or special knowledge to open, then the fire inspector shall issue a citation with the penalties stated in Section 50-4(k).~~
- ~~(2) Blocked or impeded exits. If, upon inspection, a fire inspector finds the means of egress blocked or impeded as defined in the Florida Fire Prevention Code, then the fire inspector shall issue a citation with the penalties stated in Section 50-4(k).~~
- ~~(3) Overcrowding. If, upon inspection, a fire inspector finds an overcrowding condition in excess of the maximum number of occupants as approved by the Fire Marshal, then the inspector shall issue a citation as follows: a minor overcrowding citation when the number of occupants exceed the approved limit by less than 30 percent; a severe overcrowding citation when the number of occupants exceed the approved limit by 30 percent or more. The citation issued will carry the penalties stated in Section 50-4(k).~~
- ~~(4) Fire watch. If, upon inspection, a fire inspector finds that the owner or management of a property in the City has not complied with the requirements of an established fire watch mandated by the Fire Marshal's Office, then the inspector shall issue a citation with the penalties stated in Section 50-4(k).~~
- ~~(5) Fire protection system(s). If, upon inspection, a fire inspector finds that the automatic or manual fire protection system(s), fire detection system(s), and/or fire alarm system(s) have not been certified by a licensed contractor as required by the Florida Fire Prevention Code, then the fire inspector shall issue a citation with the penalties stated in Section 50-4(k).~~
- ~~(6) Life safety building maintenance. If, upon inspection, a fire inspector finds that maintenance of life safety building features have not been properly performed, then the fire inspector shall issue a citation with the penalties stated in Section 50-4(k).~~
- ~~(7) Flammable liquids/gas. If, upon inspection, a fire inspector finds improper use and storage of flammable liquids and/or flammable gases, then the fire inspector shall issue a citation with the penalties stated in Section 50-4(k).~~
- ~~(8) Fire extinguishers. If, upon inspection, a fire inspector finds that the fire extinguishers are not properly certified, or fire extinguishers are not provided, then the fire inspector shall issue a citation with the penalties stated in Section 50-4(k).~~
- ~~(9) Work without a permit. If, upon inspection, a fire inspector finds that construction work is being performed or work has been performed on a fire protection/life safety system without the proper permits, then the fire inspector shall issue a citation with the penalties stated in Section 50-4(k).~~
- ~~(10) Fire alarm runner service agreement. If, upon inspection, a fire inspector finds that the owner or management fails to obtain and maintain the required fire alarm runner service agreement, then the fire inspector shall issue a citation with the penalties stated in Section 50-4(k).~~
- ~~(11) Other violations. Any other violation of the Florida Fire Prevention Code may result in a citation with the penalties stated in Section 50-4(k).~~
- ~~(c) "Offense" defined. For purposes of this section, "offense" shall mean a notice of violation, or citation. A person may receive a separate notice of violation, or citation, once every hour if a violation has occurred any time within that period. Each notice of violation, or citation, shall constitute a separate offense for which a separate fine may be imposed.~~

- ~~(d) Options upon issuance of a citation. A violator who has been issued a citation shall elect either to:~~
- ~~(1) Pay the civil fine in the manner indicated on the citation; or~~
 - ~~(2) Request an administrative hearing before a special master to appeal the decision of the fire inspector which resulted in the issuance of the citation.~~
- ~~(e) Appeal of a citation. The violator may appeal the citation by requesting an administrative hearing within ten days from the date of issuance. The procedures for appeal of the citation shall be as set forth in Chapter 30, as may be amended from time to time. The appeal hearing must be heard no later than 120 days from the date the appeal was filed. The Special Master shall not have discretion to alter the prescribed penalties under Section 50-4(k)(1) — (3). Appeal of the Fire Marshal's code interpretation shall be filed with the Miami-Dade County Fire Safety and Prevention Board of Appeals.~~
- ~~(f) Failure to appeal. Failure of the named violator to appeal the citation within the prescribed time period shall constitute a waiver of the violator's right to an administrative hearing before the special master. A waiver of the right to an administrative hearing shall be treated as an admission of the citation, and fines are owed to the City. Unpaid fines may result in the imposition of larger fines and/or further enforcement as set forth in this section.~~
- ~~(g) Appeal of special master's decision. Any party aggrieved by the decision of a special master may appeal that decision as provided by applicable Florida Statutes and Florida Rules of Appellate Procedure.~~
- ~~(h) Imposition of civil fines. The City may institute proceedings in a court of competent jurisdiction to compel payment of civil fines. A certified copy of an order imposing a civil fine may be recorded in the public records and thereafter shall constitute a lien upon any other real or personal property owned by the violator, and it may be enforced in the same manner as a court judgment by the sheriffs of this State, including levy against the personal property, but shall not be deemed to be a court judgment except for enforcement purposes. After two months from the filing of any such lien which remains unpaid, the City may institute proceedings to foreclose or otherwise execute on the lien.~~
- ~~(i) Cease and desist orders. The Fire Marshal of the City of Miami Beach has the authority to issue cease and desist orders as provided by Florida Statute 633.161 and the Florida Fire Prevention Code to mitigate any fire hazard or any violation posing an imminent danger to occupants. If the violator fails to comply with the Cease and Desist Order, then the violator shall receive a citation of \$5,000.00 for each offense. Any person who fails to comply with the Cease and Desist Order is guilty of a misdemeanor punishable as provided in Florida Statute 633.171.~~
- ~~(j) Suspension or revocation of certificate of use and annual fire safety permit. As an alternative or additional means of enforcement, the City may institute proceedings to suspend or revoke the Certificate of Use and Annual Fire Safety Permit pursuant to Chapter 102, Article V. The suspension of the Certificate of Use and Annual Fire Safety Permit constitutes the closure of the establishment and no occupancy for the period determined. Additionally, the City may seek injunctive relief as set forth in Section 46-158. Furthermore, in cases of recurring violations, the fire inspector may issue a notice of violation for prosecution before the Special Master as provided in Chapter 30. For citations involving serious danger to the public health, safety or welfare as stated in this section, the suspension of the Certificate of Use and Annual Fire Safety Permit shall be as stated in Section 50-4(k)(3)~~

~~(k) Penalties and fines. The following civil fines and penalties shall be imposed for citations issued under this section.~~

~~(1) Locked exits.~~

- ~~a. Assembly occupancies: first offense within a 12-month period, fine shall be \$1,000.00; second offense within a 12-month period, fine shall be \$2,500.00; third and subsequent offenses within a 12-month period, fine shall be \$5,000.00.~~
- ~~b. For other occupancies, the fines shall be as follows: first offense within a 12-month period, fine shall be \$750.00; second offense within a 12-month period, fine shall be \$1,000.00; third and subsequent offenses within a 12-month period, fine shall be \$1,250.00.~~

~~(2) Blocked, or impeded exits. First offense within a 12-month period, fine shall be \$500.00; second offense within a 12-month period, fine shall be \$750.00; third offense and subsequent offenses within a 12-month period, fine shall be \$1,000.00.~~

~~(3) Overcrowding.~~

- ~~a. Minor overcrowding citation: first offense within a 12-month period, fine shall be \$1,000.00; second offense within a 12-month period, fine shall be \$2,000.00; third offense and subsequent offenses within a 12-month period, fine shall be \$3,000.00;~~
- ~~b. Severe overcrowding citation: first offense within a 12-month period, fine shall be \$2,500.00; second offense within a 12-month period, fine shall be \$5,000.00; third and subsequent offenses within a 12-month period, fine shall be \$7,500.00.~~
- ~~c. After two severe overcrowding citations within a 12-month period, the suspension of the Certificate of Use and Annual Fire Safety Permit shall be for 14 consecutive days. After three severe overcrowding citations within a 12-month period, the suspension of the Certificate of Use and Annual Fire Safety Permit shall be for 30 days;~~
- ~~d. After three minor overcrowding citations within a 12-month period, the suspension of the Certificate of Use and Annual Fire Safety Permit shall be for seven consecutive days. After four minor overcrowding citations or combination of minor and severe citations, the suspension of the Certificate of Use and Annual Fire Safety Permit shall be for 14 days. After five minor overcrowding citations, or combination of minor and severe citations, the suspension of the Certificate of Use and Annual Fire Safety Permit shall be for 30 days.~~
- ~~e. After four severe overcrowding citations, or after six minor overcrowding citations, or combination of minor and severe citations, within a 12-month period, the Certificate of Use and Annual Fire Safety Permit shall be revoked.~~

~~(4) Fire watch. Fine shall be \$500.00 for each offense.~~

~~(5) Fire protection system(s). Fine shall be \$250.00 for each system for each offense.~~

~~(6) Life safety building maintenance. Fine shall be \$50.00 for each offense.~~

~~(7) Flammable liquids/gas. Fine shall be \$100.00 for each offense.~~

~~(8) Fire extinguishers. Fine shall be \$25.00 for each offense.~~

~~(9) Work without a permit. Fine shall be \$200.00 for each offense.~~

~~(10) Fire alarm runner service agreement. Fine shall be \$75.00 for each offense.~~

(11) Other violations. Fine shall be \$100.00 for each offense.

Sec. 50-5. - Annual fire prevention and fire safety inspection permit Certificates of occupancy or completion.

Certificate of occupancy or completion. In order to obtain temporary, or final occupancy or completion as required by the Florida Building Code, the following original fees shall be paid for the purpose of defraying the costs of processing the certificate, including any necessary inspections.

- a. Final certificate of occupancy or completion. Certificate of occupancy or completion fees shall be as specified in appendix A.
- b. Temporary certificate of occupancy or completion. Temporary certificate of occupancy or completion fees shall be as specified in appendix A. The certificate of occupancy or completion is the certificate of use for that facility for the first year of operation or part thereof.

~~(a) Permit required; general provisions. No person shall operate, utilize or occupy any facility, instrumentality or real property, or any part thereof, or cause, allow, let or permit to be operated, utilized or occupied any facility, instrumentality or real property, or any part thereof, or undertake any activity or cause to be undertaken any activity for which a fire safety permit is required in accordance with the provisions of this section without first obtaining such a valid fire safety permit. Fire safety permits shall be kept on the premises and shall be subject to inspection by a representative of the fire department. All premises shall be inspected from time to time to determine whether they comply with the provisions of applicable ordinances and regulations. The owner shall be notified of any deficiencies noted, and appropriate reinspection may be made to determine whether or not the deficiencies have been corrected. Fire safety permits shall not be transferable and any change in use or occupancy of the premises shall require the issuance of a new fire safety permit. All applications for fire safety permits shall be reviewed by the fire marshal's office. If an application for a fire safety permit is rejected, the applicant shall be advised of the reasons for such rejection. Fire safety permits shall be issued by the fire marshal's office and shall bear the names and signature of the fire marshal or his designated representative.~~

~~(b) Contents. Fire safety permits shall contain the following information:~~

- ~~(1) Operation or activities for which the fire safety permit is issued.~~
- ~~(2) Address or location and telephone number where the operation or activity requiring the issuance of a fire safety permit is to be conducted.~~
- ~~(3) Name, address and telephone number of the permittee.~~
- ~~(4) Fire safety permit number and date of issuance.~~
- ~~(5) Period of validity of the fire safety permit.~~
- ~~(6) Inspection requirements.~~

~~(c) Application, issuance.~~

- ~~(1) Within 30 days of March 15, 1997, the city shall mail an invoice requiring the payment of the fire safety fee, in accordance with the fee schedule set forth in this section, to all~~

~~persons holding a certificate of use issued by the city. Upon payment of the required fee, the department shall issue the fire safety permit. Such permit shall be renewed annually upon payment of the required fee.~~

- ~~(2) Any person applying for a new certificate of use shall concurrently with such application make an application for a fire safety permit to the fire department. Such application for a fire safety permit shall be accompanied by such information as may be required by the fire department, and the required fee. Upon payment of the required fee and issuance of the certificate of use, the fire department shall issue the fire safety permit, which shall be renewed annually upon payment of the required fee.~~
- ~~(3) Application for a fire safety permit shall be made to the fire department by all persons who are not required to hold a certificate of use who are utilizing or occupying any facility, instrumentality or real property or any part thereof, or undertaking any activity or causing to be undertaken any activity for which is required a fire safety permit in accordance with the provisions of this section. Such application shall be accompanied by such information as shall be required by the fire department and the required fee.~~
- ~~(d) Fees. The fees for the issuance of the fire safety permit and the annual renewal thereof, as may be required, are herein fixed as follows. Occupancies are classified in accordance with the National Fire Protection Association (NFPA) 101 Life Safety Code, as may be amended and adopted by the City.~~

~~A review of the annual fee will be required whenever the change in the Consumer Price Index (CPI), between the latest CPI and the date of the CPI used for the last fee adjustment, is five percent or greater.~~

- ~~(1) Assembly occupancies. Those occupancies that include, but are not limited to, all buildings or portions of buildings used for gathering together 50 or more persons for such purposes as deliberation, worship, entertainment, eating, drinking, amusement or awaiting transportation. Assembly occupancies designated as dance hall/entertainment with or without alcohol and having an occupant load of 200 or more, a night inspection fee shall be charged of \$4.00 per person based on the approved maximum number of occupants designated by the Fire Marshal.~~
 - ~~a. Class A—occupant load greater than 1,000 persons: See appendix A.~~
 - ~~b. Class B—occupant load greater than 300 but not greater than 1,000 persons: See appendix A.~~
 - ~~c. Class C—occupant load of 50 or more but not greater than 300 persons: See appendix A.~~
- ~~(2) Educational occupancies. Those occupancies that include buildings or portions of buildings used for educational purposes through the 12th grade by six or more persons for four or more hours per day or more than 12 hours per week.~~
 - ~~a. Schools, private, educational facilities inclusive of the first to the 12th grade:~~
 - ~~Buildings up to 10,000 square feet: See appendix A.~~
 - ~~Buildings greater than 10,000 square feet: See appendix A.~~
 - ~~b. Nurseries, day care centers, kindergartens, educational facilities up to, but not including the first grade: See appendix A.~~

- ~~(3) Health care occupancies. Those occupancies used for purposes such as medical or other treatment or care of persons suffering from physical or mental illness, disease or infirmity; and for the care of infants, convalescents or infirm aged persons. Health care occupancies provide sleeping facilities for four or more occupants and are occupied by persons who are mostly incapable of self-preservation because of age, physical or mental disability, or because of security measures not under the occupants' control.~~

~~Private hospitals, nursing homes, limited care facilities:~~

~~Up to 100 beds: See appendix A.~~

~~Over 100 beds: See appendix A.~~

- ~~(4) Residential occupancies. Those occupancies in which sleeping accommodations are provided for normal residential purposes and include all buildings designed to provide sleeping accommodations.~~

~~a. Apartment buildings:~~

~~Three to 11 dwelling units: See appendix A.~~

~~Twelve to 50 dwelling units: See appendix A.~~

~~Over 50 dwelling units: See appendix A.~~

~~b. Hotel, motel, dormitories, lodginghouse or roominghouse:~~

~~Three to 50 rental sleeping units: See appendix A.~~

~~Over 50 sleeping units: See appendix A.~~

~~c. Board and care facilities:~~

~~Small facilities, not more than 16 residents: See appendix A.~~

~~Large facilities, more than 16 residents: See appendix A.~~

- ~~(5) Mercantile occupancies.~~

~~a. Class A—all stores having an aggregate gross area of more than 30,000 square feet or utilizing more than three levels, excluding mezzanines, for sales purposes: See appendix A.~~

~~b. Class B—all stores of more than 3,000 square feet but not more than 30,000 square feet aggregate gross area, or utilizing floors above or below the street floor level for sales purposes: See appendix A.~~

~~c. Class C—all stores of not more than 3,000 square feet gross area used for sales purposes on one story only, excluding mezzanines: See appendix A.~~

- ~~(6) Business occupancies. Those occupancies used for the transaction of business, other than those covered under subsection (d)(5) of this section, for the keeping of accounts and record, and for similar purposes.~~

~~a. General offices, including doctors', dentists', and outpatient clinics (ambulatory):~~

~~Up to 5,000 square feet: See appendix A.~~

~~Over 5,000 square feet: See appendix A.~~

- ~~b. Colleges and university instructional buildings, classrooms under 50 persons, and instructional laboratories: See appendix A.~~
- ~~(7) Industrial occupancies. Those occupancies such as factories making products of all kinds and properties devoted to operations such as processing, assembling, mixing, packaging, finishing or decorating and repairing.~~
 - ~~a. General industrial occupancies—industrial operations conducted in buildings of conventional design suitable for various types of industrial processes, subject to possible use for types of industrial processes with high density of employee population:

Up to 5,000 square feet: See appendix A.

Over 5,000 square feet: See appendix A.~~
 - ~~b. Special purpose industrial occupancies—industrial operations in buildings designed for and suitable only for particular types of operations, characterized by a relatively low density of employee population, with much of the area occupied by machinery or equipment:

Up to 5,000 square feet: See appendix A.

Over 5,000 square feet: See appendix A.~~
 - ~~c. High hazard industrial occupancies—buildings having high hazard materials, processes, or contents:

Up to 5,000 square feet: See appendix A.

Over 5,000 square feet: See appendix A.~~
- ~~(8) Storage occupancies. Those occupancies which include all buildings or structures utilized primarily for the storage or sheltering of goods, merchandise, products, vehicles or animals.~~
 - ~~a. Low hazard contents—classified as those of such low combustibility that no self-propagating fire therein can occur: See appendix A.~~
 - ~~b. Ordinary hazard contents—classified as those that are likely to burn with moderate rapidity or to give off a considerable volume of smoke:

Up to 10,000 square feet: See appendix A.

Over 10,000 square feet: See appendix A.~~
 - ~~c. High hazard contents—classified as those that are likely to burn with extreme rapidity or from which explosions are likely:

Up to 5,000 square feet: See appendix A.

Over 5,000 square feet: See appendix A.~~
- ~~(9) Marinas.~~
 - ~~a. Three to 12 boat slips: See appendix A.~~
 - ~~b. Thirteen to 50 boat slips: See appendix A.~~

c. ~~Over 50 boat slips: See appendix A.~~

(10) ~~Miscellaneous. All uses of buildings not previously covered by this section shall be classified by the fire marshal as the most similar use delineated above and assessed an inspection fee accordingly.~~

(e) ~~Revocation, penalties. The fire marshal may revoke the fire safety permit if, upon inspection, any violation of this section, the South Florida Fire Prevention Code or chapter 14 of the Dade County Code, or any violation of any condition, limitation or restriction which is part of a fire safety permit issued is found and not corrected within a reasonable amount of time. Revocation shall be effective when the permit holder is duly notified by the fire marshal. In addition to the penalties prescribed under the code adopted in section 50-2, any person who uses any premises after the fire safety permit has been revoked shall be in violation of this section and shall be subject to proceedings to revoke or suspend an occupational license and/or certificate of use pursuant to chapter 102, article V, and/or other penalties under applicable law. For purposes of enforcement under chapter 102, article V, use of any premises without a valid fire safety permit shall be deemed an emergency condition involving serious danger to the public health, safety or welfare.~~

Sec. 50-6. - Hazardous material registration and permit Forty-year building recertification program.

There shall be a plan review and inspection fee for repairs or modifications to buildings as required by the 40-year building recertification program, pursuant to Miami-Dade County Code Chapter 8, Section 8-11(f).

(a) ~~Definitions. The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:~~

~~Hazardous material means that material, chemical or substance which is highly flammable, or which may self-react with other materials to cause fires or explosions, or which by its presence creates or augments a fire or explosion hazard, or which by its toxicity, radioactivity or any other physical, chemical or nuclear property, when contained or when involved in an unauthorized release, may cause danger to life or create serious health hazard. Hazardous materials shall include such materials as compressed gases, cryogenic fluid, flammable liquid, combustible liquid, flammable solid, corrosives, oxidizing material, reactive and unstable material, highly toxic, poisonous and radioactive material, whether the material is in usable or waste condition. Hazardous materials shall include material identified in the Florida Substance List compiled by the state department of labor and employment security pursuant to F.S. § 442.103.~~

~~Person means any natural person, firm, individual association, corporation, partnership, joint venture, municipality, governmental agency, political subdivision, public officer, partner, director, officer, public corporation or any other entity of any kind whatsoever, jointly and severally, singular or plural.~~

~~Placard means a visible hazard identification sign or plate indicating any and all of the hazardous materials presently stored, handled or used on the premises.~~

~~Premises means the building or structure or portion thereof upon which hazardous material is stored, handled or used.~~

- ~~(b) Hazardous material registration and permit. No person shall store, handle or use any hazardous materials unless and until a valid permit has been issued by the fire department, in accordance with South Florida Fire Prevention Code, article 31, section 31.103. Anyone obtaining a permit under this section shall pay a permit fee as set forth in appendix A during the month following the enactment of this legislation, but by no later than October 1. Permits shall be renewed on an annual basis. Failure to pay the fee within 30 days will result in a late permit fee as set forth in appendix A. Failure to pay the fee within 90 days will result in a late permit fee as set forth in appendix A. All applications for permits shall be on a form prescribed by the fire department and accompanied by a hazardous material inventory form providing the following information:~~
- ~~(1) The chemical or common name of the hazardous materials on the premises.~~
 - ~~(2) An estimate of the maximum amount of hazardous material present on the premises.~~
 - ~~(3) An estimate amount of the average daily hazardous material present on the premises.~~
 - ~~(4) The specific location of the hazardous materials on the premises.~~
 - ~~(5) A brief description of the manner of storage of the hazardous materials.~~
- ~~(c) Placard requirement. Every person who obtains a permit pursuant to this section shall affix a placard for each hazardous material on the premises. Such placard shall be in compliance with NFPA section 704 or as approved by the fire department. The placard must be affixed to a conspicuous location where each of the hazardous materials is stored, handled or used on the premises. The placard may be obtained by the person or purchased from the fire department at a cost as set forth in appendix A.~~
- ~~(d) Inspection. Every person shall allow the fire department to conduct an on-site inspection of the premises and shall provide to the fire department, upon request, information on the specific types, amounts and locations of any and all hazardous material on the premises.~~
- ~~(e) Enforcement. Any person who fails or refuses to comply with, or violates, any of the provisions of this section shall be subject to prosecution under the city's code enforcement system, in accordance with chapter 30, and shall be subject to immediate suspension of the person's business license until such time as the provisions have been complied with.~~

Sec. 50-7. - Penalties for violation of fire codes and enforcement Employee training, education, safety and technology enhancements.

A surcharge to building, electrical, mechanical, plumbing and demolition permits will be added for training, education and safety of the planning department employees, and to procure and implement the latest technologies available for enhancement of services provided by the department, according to the schedule specified in appendix A.

~~Any person, firm or corporation who violates or fails to comply with the minimum standards established and adopted by this chapter as may be amended, shall upon conviction, be fined not less than \$100.00 for the first violation and not less than \$1,000.00 for each subsequent violation. In addition, the county judge may, in his discretion, impose an additional penalty of imprisonment for a period of up to 90 days. Each day such violation shall be permitted to exist shall constitute a separate offense. As an alternative method of enforcement, any person, firm or corporation who violates or fails to comply with any of the minimum standards established and adopted by this chapter and who fails to comply with a final order issued in accordance with~~

~~the provisions of this chapter may be subject to enforcement procedures before a special master of the city and to penalties as set forth in Chapter 30 of this Code.~~

Sec. 50-8. - Fire alarms, regulations, penalties, enforcement General information.

- a. A separate fire safety, public works and/or zoning review fee associated with the building permit process shall be charged as outlined in appendix A.
 - b. Documents. Requests for copies of fire department records, inspection reports, logs, or similar documents maintained by the fire marshal's office will be charged a fee as specified in appendix A.
- ~~(a) Purpose of regulation. The purpose of this section is to place responsibility on the alarm user to prevent, by use of appropriate mechanical, electrical, or other means, false fire alarms.~~
- ~~(b) Scope of regulations. The provisions of this section shall apply throughout the geographical area serviced [by] the Miami Beach Fire Department.~~
- ~~(c) Definitions.~~
- ~~(1) Alarm user means the person or other entity that owns, possesses, controls, occupies or manages any premises as defined below.~~
 - ~~(2) False fire alarm means a signal from a fire alarm system that elicits a response by the Fire Department when no actual or threatened fire-related emergency exists. This definition includes signals activated by negligence, accident, mechanical failure, and electrical failure signals activated intentionally in non-emergency situations; and signals for which the actual cause of activation is unknown. It is a rebuttable presumption that a fire alarm is false if personnel responding from the Fire Department do not discover any evidence of fire or other emergency after following normal Fire Department operating procedures in investigating the incident. An alarm is not false if the alarm user provides evidence that (1) an individual activated the alarm based upon a reasonable belief that a fire-related emergency existed; (2) the alarm system was activated by lightning or an electrical surge that caused physical damage to the system, as evidenced by the testimony of a licensed alarm system contractor who conducted an on-site inspection and personally observed the damage to the system; or (3) the alarm was activated by vandals.~~
 - ~~(3) Fire alarm system means any assembly of equipment, mechanical or electrical, arranged to signal the occurrence of fire-related emergency, requiring urgent attention and to which Fire Department personnel may reasonably be expected to respond, but does not include household fire alarm systems installed in one or two-family dwellings.~~
 - ~~(4) Household fire alarm system means a system of devices that is listed for residential use and installed in a one or two-family dwelling other than facilities that are required to be licensed.~~
 - ~~(5) Premises means the building or structure, or portion of a building or structure, upon which a fire alarm system is installed or maintained.~~
 - ~~(6) Vandals means a person or persons who willfully cause damage to the fire alarm system which results in the activation of a fire alarm.~~

- ~~(d) Fire alarms; posting requirements. A fire alarm user shall conspicuously post at the main entrance to the alarm user's premises a notice stating (1) the name of an individual or alarm company able and authorized to enter the premises and deactivate the alarm; (2) emergency telephone numbers by which those individuals can be reached at all times; and (3) the name and address of the alarm user. The information must be kept current and failure to update this information within 48 hours of any change constitutes a violation of this section.~~
- ~~(e) False fire alarms prohibited. No fire alarm user shall cause, allow, permit or suffer the fire alarm system to emit three or more false alarms in any calendar year.~~
- ~~(f) Inspection requirements/post activation. After the second and each additional false fire alarm in one calendar year, the alarm user shall, within 30 days, after the second or subsequent fire alarm activation, file a written inspection and test report with the Fire Department from a licensed fire alarm contractor stating that the fire alarm system has been inspected and tested since the last false fire alarm. The report shall set forth the probable cause of the activation, description of any repairs, modifications made or actions taken to prevent additional false alarm activations. The inspection and test report shall also state that the system is currently fully functional without deficiencies.~~
- ~~(g) Penalties. A violator of this section shall receive a fine(s) as follows:~~
- ~~(1) For the first false alarm within a calendar year: A notice of violation with no fine.~~
 - ~~(2) For the second false alarm within a calendar year: A notice of violation with no fine.~~
 - ~~(3) For the third and fourth false alarm within a calendar year: A citation with a fine of \$250.00.~~
 - ~~(4) For the fifth false alarm and subsequent false alarms including the twelfth false alarm within a calendar year: A citation with a fine of \$500.00.~~
 - ~~(5) For the thirteenth and subsequent false alarms within a calendar year: A citation with a fine of \$1,000.00.~~
- ~~(h) Enforcement. The fire inspector shall issue a citation for each false alarm. A violator who has been issued a citation under this section shall elect either to:~~
- ~~(1) Pay the civil fine in the manner indicated on the citation; or~~
 - ~~(2) Request an administrative hearing before a special master to appeal the decision of the fire inspector which resulted in the issuance of the citation.~~
- ~~(i) Appeal of a citation. The violator may appeal the citation by requesting an administrative hearing within ten days from the date of issuance. The procedures for appeal of the citation shall be as set forth in Chapter 30, as may be amended from time to time.~~
- ~~(j) Failure to appeal. Failure of the named violator to appeal the citation within the prescribed time period shall constitute a waiver of the violator's right to an administrative hearing before the special master. A waiver of the right to an administrative hearing shall be treated as an admission of the citation, and fines are owed to the City. Unpaid fines may result in the imposition of larger fines and/or further enforcement as set forth in this Chapter.~~
- ~~(k) Appeal of special master's decision. Any party aggrieved by the decision of a special master may appeal that decision as provided by applicable Florida Statutes and Florida Rules of Appellate Procedure.~~
- ~~(l) Imposition of civil fines. The City may institute proceedings in a court of competent jurisdiction to compel payment of civil fines. A certified copy of an order imposing a civil fine~~

~~may be recorded in the public records and thereafter shall constitute a lien upon any other real or personal property owned by the violator, and it may be enforced in the same manner as a court judgment by the sheriffs of this state, including levy against the personal property, but shall not be deemed to be a court judgment except for enforcement purposes. After two months from the filing of any such lien which remains unpaid, the City may institute proceedings to foreclose or otherwise execute on the lien.~~

Sec. 50-9. - Interest.

The city is authorized to charge interest to any amount due when not paid by the due date. The interest rate shall be at the highest legal limit authorized by law, plus collection costs and attorneys' fees.

Sec. 50-10 Other permits and reviews.

- (a) Fire permits. A fire permit is required for installation, modification, or deletion of any component of a fire detection or protection system. A fire permit is issued by the fire marshal and processed by the building department for components or systems designed for smoke detection, fire alarm, fire protection or fire suppression or similar systems. A fee for the plan review, acceptance test, and inspection of work under a fire permit will be charged as specified in appendix A to include services provided by fire department staff.
- (b) Hydrant flow test. Upon a request from an applicant, a hydrant flow test will be performed by fire department personnel and results provided to the applicant within a reasonable time after receipt of request. A flow test may not be performed whenever the city, county, or state has any water flowing restrictions imposed on the water supply of the City of Miami Beach. A fee will be charged for each flow test as specified in appendix A.
- (c) Occupant content sign. Owners, managers, or operators of any assembly occupancy in the City of Miami Beach must obtain an occupant content sign issued by the fire marshal and processed by the building department. A fee for plan review and inspection related to the occupant content sign will be charged as specified in appendix A.
- (d) Pyrotechnic displays permit. Any person or entity using, storing, or displaying pyrotechnic devices indoor or outdoor of any facility within the City of Miami Beach must first obtain a permit issued by the fire department. A fee for plan review and inspection will be charged as specified in appendix A. Additional fee will be charged for staffing of fire department personnel as determined by the fire chief. Any person or entity who does not obtain a permit, provides false information in order to obtain the permit, or who violates any provision in said permit will be charged a fine equal to the double fee as specified in subsection 50-3(d).
- (e) Fireworks permit. Any person or entity using, storing, or displaying fireworks for private or public display within the City of Miami Beach must first obtain a permit issued by the fire department. A fee for plan review and inspection will be charged as specified in appendix A. Additional fee will be charged for staffing of fire department personnel as determined by the fire chief. Any person or entity who does not obtain a permit, provides false information in order to obtain the permit, or who violates any provision in said permit will be charged a fine equal to the double fee as specified in subsection 50-3(d).
- (f) Open burning permit. Any person or entity engaged in open burning activity must first obtain a permit issued by the fire department. A fee for plan review and inspection will be charged

as specified in appendix A. Additional fee will be charged for staffing of fire department personnel as determined by the fire chief. Any person or entity who does not obtain a permit, provides false information in order to obtain the permit, or who violates any provision in said permit will be charged a fine equal to the double fee as specified in subsection 50-3(d).

- (g) Bonfire permit. Any person or entity engaged in a bonfire activity must first obtain a permit issued by the fire department. A fee for plan review and inspection will be charged as specified in appendix A. Additional fee will be charged for staffing of fire department personnel as determined by the fire chief. Any person or entity who does not obtain a permit, provides false information in order to obtain the permit, or who violates any provision in said permit will be charged a fine equal to the double fee as specified in subsection 50-3(d).
- (h) Special events. All special events permits issued by the City of Miami Beach must be reviewed and approved by the fire department. A fee for the plan review and inspection of each special event will be charged to the applicant as specified in appendix A.
- (i) Trade shows. All trade shows or public events taking place at the Miami Beach Convention Center or other public facility must be reviewed and approved by the fire department. A fee for plan review and inspection will be charged to the applicant as specified in appendix A.
- (j) Sidewalk cafe permits. All sidewalk cafes must be approved by the fire department before a permit is issued by the city. A fee for plan review and inspection will be charged as specified in appendix A.
- (k) Special master. Special master cases such as mitigation of fines requiring research and testimony of fire department personnel will be charged a fee to the applicant as specified in appendix A.
- (l) Documents. Requests for copies of fire department records, inspection reports, logs, or similar documents maintained by the fire marshal's office will be charged a fee as specified in appendix A.
- (m) Adjusted rates. The rates in appendix A pertaining to this section will be administratively adjusted annually to reflect increase(s) or decrease(s) in Consumer Price Index for all urban consumers CPI-U.

Sec. 50-11. - Enforcement by fire inspectors.

- (a) Notice of violation. If, upon inspection, a fire inspector finds that a fire code violation exists based on the Florida Fire Prevention Code, Miami-Dade County Fire Code, or the City of Miami Beach Code, as may be amended from time to time, the fire inspector shall document the list of violations using a Fire Department form. The Notice of Violation shall indicate the name of violator, address of establishment inspected, the date of the inspection, and the name of the inspector. The Notice of Violation shall describe the code requirement, which is not in compliance, and indicate timeframe within which to correct said violation(s).

 - (1) The violator can appeal the interpretation of the code requirement to the inspector's supervisor and finally to the Fire Marshal of the City of Miami Beach after providing evidence that the condition present does not constitute a code violation. If the Fire Marshal affirms that the code violation does exist, then the violator can appeal a decision of the Fire Marshal to the Miami-Dade County Fire Safety and Prevention

Board of Appeal as provided for in the Florida Fire Prevention Code, and as provided for in Chapter 14, Miami-Dade County Code.

- (2) If the violator does not correct the violation within the indicated time frame, the fire inspector, or designee of the Fire Marshal, shall follow enforcement proceedings through the Special Master process as provided in Chapter 30 of the City of Miami Beach Code.
- (b) Citation. In lieu of a Notice of Violation, or in addition to a Notice of Violation, the fire inspector can issue a citation for the following offenses listed below. The citation shall state the name of the violator, the date and time of the violation, address of the violation, amount of fine for which the violator is liable, instructions, due date for paying the fine, and the appeal process.
 - (1) Locked exits. If, upon inspection, a fire inspector finds a locked exit as defined in the Florida Fire Prevention Code as a door requiring a key or special knowledge to open, then the fire inspector shall issue a citation with the penalties stated in Section 50-4(k).
 - (2) Blocked or impeded exits. If, upon inspection, a fire inspector finds the means of egress blocked or impeded as defined in the Florida Fire Prevention Code, then the fire inspector shall issue a citation with the penalties stated in Section 50-4(k).
 - (3) Overcrowding. If, upon inspection, a fire inspector finds an overcrowding condition in excess of the maximum number of occupants as approved by the Fire Marshal, then the inspector shall issue a citation as follows: a minor overcrowding citation when the number of occupants exceed the approved limit by less than 30 percent; a severe overcrowding citation when the number of occupants exceed the approved limit by 30 percent or more. The citation issued will carry the penalties stated in Section 50-4(k).
 - (4) Fire watch. If, upon inspection, a fire inspector finds that the owner or management of a property in the City has not complied with the requirements of an established fire watch mandated by the Fire Marshal's Office, then the inspector shall issue a citation with the penalties stated in Section 50 4(k).
 - (5) Fire protection system(s). If, upon inspection, a fire inspector finds that the automatic or manual fire protection system(s), fire detection system(s), and/or fire alarm system(s) have not been certified by a licensed contractor as required by the Florida Fire Prevention Code, then the fire inspector shall issue a citation with the penalties stated in Section 50-4(k).
 - (6) Life safety building maintenance. If, upon inspection, a fire inspector finds that maintenance of life safety building features have not been properly performed, then the fire inspector shall issue a citation with the penalties stated in Section 50-4(k).
 - (7) Flammable liquids/gas. If, upon inspection, a fire inspector finds improper use and storage of flammable liquids and/or flammable gases, then the fire inspector shall issue a citation with the penalties stated in Section 50-4(k).
 - (8) Fire extinguishers. If, upon inspection, a fire inspector finds that the fire extinguishers are not properly certified, or fire extinguishers are not provided, then the fire inspector shall issue a citation with the penalties stated in Section 50-4(k).
 - (9) Work without a permit. If, upon inspection, a fire inspector finds that construction work is being performed or work has been performed on a fire protection/life safety system without the proper permits, then the fire inspector shall issue a citation with the penalties stated in Section 50-4(k).

- (10) Fire alarm runner service agreement. If, upon inspection, a fire inspector finds that the owner or management fails to obtain and maintain the required fire alarm runner service agreement, then the fire inspector shall issue a citation with the penalties stated in Section 50-4(k).
- (11) Other violations. Any other violation of the Florida Fire Prevention Code may result in a citation with the penalties stated in Section 50-4(k).
- (c) "Offense" defined. For purposes of this section, "offense" shall mean a notice of violation, or citation. A person may receive a separate notice of violation, or citation, once every hour if a violation has occurred any time within that period. Each notice of violation, or citation, shall constitute a separate offense for which a separate fine may be imposed.
- (d) Options upon issuance of a citation. A violator who has been issued a citation shall elect either to:
- (1) Pay the civil fine in the manner indicated on the citation; or
 - (2) Request an administrative hearing before a special master to appeal the decision of the fire inspector which resulted in the issuance of the citation.
- (e) Appeal of a citation. The violator may appeal the citation by requesting an administrative hearing within ten days from the date of issuance. The procedures for appeal of the citation shall be as set forth in Chapter 30, as may be amended from time to time. The appeal hearing must be heard no later than 120 days from the date the appeal was filed. The Special Master shall not have discretion to alter the prescribed penalties under Section 50-4(k)(1)—(3). Appeal of the Fire Marshal's code interpretation shall be filed with the Miami-Dade County Fire Safety and Prevention Board of Appeals.
- (f) Failure to appeal. Failure of the named violator to appeal the citation within the prescribed time period shall constitute a waiver of the violator's right to an administrative hearing before the special master. A waiver of the right to an administrative hearing shall be treated as an admission of the citation, and fines are owed to the City. Unpaid fines may result in the imposition of larger fines and/or further enforcement as set forth in this section.
- (g) Appeal of special master's decision. Any party aggrieved by the decision of a special master may appeal that decision as provided by applicable Florida Statutes and Florida Rules of Appellate Procedure.
- (h) Imposition of civil fines. The City may institute proceedings in a court of competent jurisdiction to compel payment of civil fines. A certified copy of an order imposing a civil fine may be recorded in the public records and thereafter shall constitute a lien upon any other real or personal property owned by the violator, and it may be enforced in the same manner as a court judgment by the sheriffs of this State, including levy against the personal property, but shall not be deemed to be a court judgment except for enforcement purposes. After two months from the filing of any such lien which remains unpaid, the City may institute proceedings to foreclose or otherwise execute on the lien.
- (i) Cease and desist orders. The Fire Marshal of the City of Miami Beach has the authority to issue cease and desist orders as provided by F.S. 633.161 and the Florida Fire Prevention Code to mitigate any fire hazard or any violation posing an imminent danger to occupants. If the violator fails to comply with the Cease and Desist Order, then the violator shall receive a citation of \$5,000.00 for each offense. Any person who fails to comply with the Cease and Desist Order is guilty of a misdemeanor punishable as provided in F.S. 633.171.
- (j) Suspension or revocation of certificate of use and annual fire safety permit. As an alternative or additional means of enforcement, the City may institute proceedings to

suspend or revoke the Certificate of Use and Annual Fire Safety Permit pursuant to Chapter 102, Article V. The suspension of the Certificate of Use and Annual Fire Safety Permit constitutes the closure of the establishment and no occupancy for the period determined. Additionally, the City may seek injunctive relief as set forth in Section 46-158. Furthermore, in cases of recurring violations, the fire inspector may issue a notice of violation for prosecution before the Special Master as provided in Chapter 30. For citations involving serious danger to the public health, safety or welfare as stated in this section, the suspension of the Certificate of Use and Annual Fire Safety Permit shall be as stated in Section 50-4(k)(3).

(k) Penalties and fines. The following civil fines and penalties shall be imposed for citations issued under this section.

(1) Locked exits.

- a. Assembly occupancies: first offense within a 12-month period, fine shall be \$1,000.00; second offense within a 12-month period, fine shall be \$2,500.00; third and subsequent offenses within a 12-month period, fine shall be \$5,000.00.
- b. For other occupancies, the fines shall be as follows: first offense within a 12-month period, fine shall be \$750.00; second offense within a 12-month period, fine shall be \$1,000.00; third and subsequent offenses within a 12-month period, fine shall be \$1,250.00.

(2) Blocked, or impeded exits. First offense within a 12-month period, fine shall be \$500.00; second offense within a 12-month period, fine shall be \$750.00; third offense and subsequent offenses within a 12-month period, fine shall be \$1,000.00.

(3) Overcrowding.

- a. Minor overcrowding citation: first offense within a 12-month period, fine shall be \$1,000.00; second offense within a 12-month period, fine shall be \$2,000.00; third offense and subsequent offenses within a 12-month period, fine shall be \$3,000.00;
- b. Severe overcrowding citation: first offense within a 12-month period, fine shall be \$2,500.00; second offense within a 12-month period, fine shall be \$5,000.00; third and subsequent offenses within a 12-month period, fine shall be \$7,500.00.
- c. After two severe overcrowding citations within a 12-month period, the suspension of the Certificate of Use and Annual Fire Safety Permit shall be for 14 consecutive days. After three severe overcrowding citations within a 12-month period, the suspension of the Certificate of Use and Annual Fire Safety Permit shall be for 30 days;
- d. After three minor overcrowding citations within a 12-month period, the suspension of the Certificate of Use and Annual Fire Safety Permit shall be for seven consecutive days. After four minor overcrowding citations or combination of minor and severe citations, the suspension of the Certificate of Use and Annual Fire Safety Permit shall be for 14 days. After five minor overcrowding citations, or combination of minor and severe citations, the suspension of the Certificate of Use and Annual Fire Safety Permit shall be for 30 days.
- e. After four severe overcrowding citations, or after six minor overcrowding citations, or combination of minor and severe citations, within a 12-month period, the Certificate of Use and Annual Fire Safety Permit shall be revoked.

- (4) Fire watch. Fine shall be \$500.00 for each offense.
- (5) Fire protection system(s). Fine shall be \$250.00 for each system for each offense.
- (6) Life safety building maintenance. Fine shall be \$50.00 for each offense.
- (7) Flammable liquids/gas. Fine shall be \$100.00 for each offense.
- (8) Fire extinguishers. Fine shall be \$25.00 for each offense.
- (9) Work without a permit. Fine shall be \$200.00 for each offense.
- (10) Fire alarm runner service agreement. Fine shall be \$75.00 for each offense.
- (11) Other violations. Fine shall be \$100.00 for each offense.

Sec. 50-12. - Annual fire prevention and fire safety inspection permit.

- (a) Permit required; general provisions. No person shall operate, utilize or occupy any facility, instrumentality or real property, or any part thereof, or cause, allow, let or permit to be operated, utilized or occupied any facility, instrumentality or real property, or any part thereof, or undertake any activity or cause to be undertaken any activity for which a fire safety permit is required in accordance with the provisions of this section without first obtaining such a valid fire safety permit. Fire safety permits shall be kept on the premises and shall be subject to inspection by a representative of the fire department. All premises shall be inspected from time to time to determine whether they comply with the provisions of applicable ordinances and regulations. The owner shall be notified of any deficiencies noted, and appropriate reinspection may be made to determine whether or not the deficiencies have been corrected. Fire safety permits shall not be transferable and any change in use or occupancy of the premises shall require the issuance of a new fire safety permit. All applications for fire safety permits shall be reviewed by the fire marshal's office. If an application for a fire safety permit is rejected, the applicant shall be advised of the reasons for such rejection. Fire safety permits shall be issued by the fire marshal's office and shall bear the names and signature of the fire marshal or his designated representative.
- (b) Contents. Fire safety permits shall contain the following information:
 - (1) Operation or activities for which the fire safety permit is issued.
 - (2) Address or location and telephone number where the operation or activity requiring the issuance of a fire safety permit is to be conducted.
 - (3) Name, address and telephone number of the permittee.
 - (4) Fire safety permit number and date of issuance.
 - (5) Period of validity of the fire safety permit.
 - (6) Inspection requirements.
- (c) Application, issuance.
 - (1) Within 30 days of March 15, 1997, the city shall mail an invoice requiring the payment of the fire safety fee, in accordance with the fee schedule set forth in this section, to all persons holding a certificate of use issued by the city. Upon payment of the required fee, the department shall issue the fire safety permit. Such permit shall be renewed annually upon payment of the required fee.

(2) Any person applying for a new certificate of use shall concurrently with such application make an application for a fire safety permit to the fire department. Such application for a fire safety permit shall be accompanied by such information as may be required by the fire department, and the required fee. Upon payment of the required fee and issuance of the certificate of use, the fire department shall issue the fire safety permit, which shall be renewed annually upon payment of the required fee.

(3) Application for a fire safety permit shall be made to the fire department by all persons who are not required to hold a certificate of use who are utilizing or occupying any facility, instrumentality or real property or any part thereof, or undertaking any activity or causing to be undertaken any activity for which is required a fire safety permit in accordance with the provisions of this section. Such application shall be accompanied by such information as shall be required by the fire department and the required fee.

(d) Fees. The fees for the issuance of the fire safety permit and the annual renewal thereof, as may be required, are herein fixed as follows. Occupancies are classified in accordance with the National Fire Protection Association (NFPA) 101 Life Safety Code, as may be amended and adopted by the City.

Annual adjustment of rates. The rates in appendix A pertaining to this division will be administratively adjusted annually to reflect increase(s) or decrease(s) in the Consumer Price Index for all urban consumers, CPI-U.

The city is authorized to charge interest to any amount due when not paid by the due date. The interest rate shall be at the highest legal limit authorized by law, plus collection costs and attorneys' fees.

(1) Assembly occupancies. Those occupancies that include, but are not limited to, all buildings or portions of buildings used for gathering together 50 or more persons for such purposes as deliberation, worship, entertainment, eating, drinking, amusement or awaiting transportation. Assembly occupancies designated as dance hall/entertainment with or without alcohol and having an occupant load of 200 or more, a night inspection fee shall be charged of \$4.00 per person based on the approved maximum number of occupants designated by the Fire Marshal.

a. Class A—occupant load greater than 1,000 persons: See appendix A.

b. Class B—occupant load greater than 300 but not greater than 1,000 persons: See appendix A.

c. Class C—occupant load of 50 or more but not greater than 300 persons: See appendix A.

(2) Educational occupancies. Those occupancies that include buildings or portions of buildings used for educational purposes through the 12th grade by six or more persons for four or more hours per day or more than 12 hours per week.

a. Schools, private, educational facilities inclusive of the first to the 12th grade:

Buildings up to 10,000 square feet: See appendix A.

Buildings greater than 10,000 square feet: See appendix A.

b. Nurseries, day care centers, kindergartens, educational facilities up to, but not including the first grade: See appendix A.

- (3) Health care occupancies. Those occupancies used for purposes such as medical or other treatment or care of persons suffering from physical or mental illness, disease or infirmity; and for the care of infants, convalescents or infirm aged persons. Health care occupancies provide sleeping facilities for four or more occupants and are occupied by persons who are mostly incapable of self-preservation because of age, physical or mental disability, or because of security measures not under the occupants' control.

Private hospitals, nursing homes, limited care facilities:

Up to 100 beds: See appendix A.

Over 100 beds: See appendix A.

- (4) Residential occupancies. Those occupancies in which sleeping accommodations are provided for normal residential purposes and include all buildings designed to provide sleeping accommodations.

a. Apartment buildings:

Three to 11 dwelling units: See appendix A.

Twelve to 50 dwelling units: See appendix A.

Over 50 dwelling units: See appendix A.

b. Hotel, motel, dormitories, lodging-house or rooming-house:

Three to 50 rental sleeping units: See appendix A.

Over 50 sleeping units: See appendix A.

c. Board and care facilities:

Small facilities, not more than 16 residents: See appendix A.

Large facilities, more than 16 residents: See appendix A.

- (5) Mercantile occupancies.

a. Class A—all stores having an aggregate gross area of more than 30,000 square feet or utilizing more than three levels, excluding mezzanines, for sales purposes: See appendix A.

b. Class B—all stores of more than 3,000 square feet but not more than 30,000 square feet aggregate gross area, or utilizing floors above or below the street floor level for sales purposes: See appendix A.

c. Class C—all stores of not more than 3,000 square feet gross area used for sales purposes on one story only, excluding mezzanines: See appendix A.

- (6) Business occupancies. Those occupancies used for the transaction of business, other than those covered under subsection (d)(5) of this section, for the keeping of accounts and record, and for similar purposes.

a. General offices, including doctors', dentists', and outpatient clinics (ambulatory):

Up to 5,000 square feet: See appendix A.

Over 5,000 square feet: See appendix A.

- b. Colleges and university instructional buildings, classrooms under 50 persons, and instructional laboratories: See appendix A.
- (7) Industrial occupancies. Those occupancies such as factories making products of all kinds and properties devoted to operations such as processing, assembling, mixing, packaging, finishing or decorating and repairing.
 - a. General industrial occupancies—industrial operations conducted in buildings of conventional design suitable for various types of industrial processes, subject to possible use for types of industrial processes with high density of employee population:
 - Up to 5,000 square feet: See appendix A.
 - Over 5,000 square feet: See appendix A.
 - b. Special purpose industrial occupancies—industrial operations in buildings designed for and suitable only for particular types of operations, characterized by a relatively low density of employee population, with much of the area occupied by machinery or equipment:
 - Up to 5,000 square feet: See appendix A.
 - Over 5,000 square feet: See appendix A.
 - c. High hazard industrial occupancies—buildings having high hazard materials, processes, or contents:
 - Up to 5,000 square feet: See appendix A.
 - Over 5,000 square feet: See appendix A.
- (8) Storage occupancies. Those occupancies which include all buildings or structures utilized primarily for the storage or sheltering of goods, merchandise, products, vehicles or animals.
 - a. Low hazard contents—classified as those of such low combustibility that no self-propagating fire therein can occur: See appendix A.
 - b. Ordinary hazard contents—classified as those that are likely to burn with moderate rapidity or to give off a considerable volume of smoke:
 - Up to 10,000 square feet: See appendix A.
 - Over 10,000 square feet: See appendix A.
 - c. High hazard contents—classified as those that are likely to burn with extreme rapidity or from which explosions are likely:
 - Up to 5,000 square feet: See appendix A.
 - Over 5,000 square feet: See appendix A.
- (9) Marinas.
 - a. Three to 12 boat slips: See appendix A.
 - b. Thirteen to 50 boat slips: See appendix A.

c. Over 50 boat slips: See appendix A.

(10) Miscellaneous. All uses of buildings not previously covered by this section shall be classified by the fire marshal as the most similar use delineated above and assessed an inspection fee accordingly.

(e) Revocation, penalties. The fire marshal may revoke the fire safety permit if, upon inspection, any violation of this section, the South Florida Fire Prevention Code or chapter 14 of the Dade County Code, or any violation of any condition, limitation or restriction which is part of a fire safety permit issued is found and not corrected within a reasonable amount of time. Revocation shall be effective when the permit holder is duly notified by the fire marshal. In addition to the penalties prescribed under the code adopted in section 50-2, any person who uses any premises after the fire safety permit has been revoked shall be in violation of this section and shall be subject to proceedings to revoke or suspend an occupational license and/or certificate of use pursuant to chapter 102, article V, and/or other penalties under applicable law. For purposes of enforcement under chapter 102, article V, use of any premises without a valid fire safety permit shall be deemed an emergency condition involving serious danger to the public health, safety or welfare.

Sec. 50-13. - Hazardous material registration and permit.

(a) Definitions. The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

Hazardous material means that material, chemical or substance which is highly flammable, or which may self-react with other materials to cause fires or explosions, or which by its presence creates or augments a fire or explosion hazard, or which by its toxicity, radioactivity or any other physical, chemical or nuclear property, when contained or when involved in an unauthorized release, may cause danger to life or create serious health hazard. Hazardous materials shall include such materials as compressed gases, cryogenic fluid, flammable liquid, combustible liquid, flammable solid, corrosives, oxidizing material, reactive and unstable material, highly toxic, poisonous and radioactive material, whether the material is in usable or waste condition. Hazardous materials shall include material identified in the Florida Substance List compiled by the state department of labor and employment security pursuant to F.S. § 442.103.

Person means any natural person, firm, individual association, corporation, partnership, joint venture, municipality, governmental agency, political subdivision, public officer, partner, director, officer, public corporation or any other entity of any kind whatsoever, jointly and severally, singular or plural.

Placard means a visible hazard identification sign or plate indicating any and all of the hazardous materials presently stored, handled or used on the premises.

Premises means the building or structure or portion thereof upon which hazardous material is stored, handled or used.

(b) Hazardous material registration and permit. No person shall store, handle or use any hazardous materials unless and until a valid permit has been issued by the fire department, in accordance with South Florida Fire Prevention Code, article 31, section 31.103. Anyone obtaining a permit under this section shall pay a permit fee as set forth in appendix A during the month following the enactment of this legislation, but by no later than October 1. Permits shall be renewed on an annual basis. Failure to pay the fee within 30 days will

result in a late permit fee as set forth in appendix A. Failure to pay the fee within 90 days will result in a late permit fee as set forth in appendix A. All applications for permits shall be on a form prescribed by the fire department and accompanied by a hazardous material inventory form providing the following information:

- (1) The chemical or common name of the hazardous materials on the premises.
 - (2) An estimate of the maximum amount of hazardous material present on the premises.
 - (3) An estimate amount of the average daily hazardous material present on the premises.
 - (4) The specific location of the hazardous materials on the premises.
 - (5) A brief description of the manner of storage of the hazardous materials.
- (c) Placard requirement. Every person who obtains a permit pursuant to this section shall affix a placard for each hazardous material on the premises. Such placard shall be in compliance with NFPA section 704 or as approved by the fire department. The placard must be affixed to a conspicuous location where each of the hazardous materials is stored, handled or used on the premises. The placard may be obtained by the person or purchased from the fire department at a cost as set forth in appendix A.
- (d) Inspection. Every person shall allow the fire department to conduct an on-site inspection of the premises and shall provide to the fire department, upon request, information on the specific types, amounts and locations of any and all hazardous material on the premises.
- (e) Enforcement. Any person who fails or refuses to comply with, or violates, any of the provisions of this section shall be subject to prosecution under the city's code enforcement system, in accordance with chapter 30, and shall be subject to immediate suspension of the person's business license until such time as the provisions have been complied with.
- (f) Annual adjustment of rates. The rates in appendix A pertaining to this division will be administratively adjusted annually to reflect increase(s) or decrease(s) in the Consumer Price Index for all urban consumers, CPI-U.
- (g) The city is authorized to charge interest to any amount due when not paid by the due date. The interest rate shall be at the highest legal limit authorized by law, plus collection costs and attorneys' fees.

Sec. 50-14. - Penalties for violation of fire codes and enforcement.

Any person, firm or corporation who violates or fails to comply with the minimum standards established and adopted by this chapter as may be amended, shall upon conviction, be fined not less than \$100.00 for the first violation and not less than \$1,000.00 for each subsequent violation. In addition, the county judge may, in his discretion, impose an additional penalty of imprisonment for a period of up to 90 days. Each day such violation shall be permitted to exist shall constitute a separate offense. As an alternative method of enforcement, any person, firm or corporation who violates or fails to comply with any of the minimum standards established and adopted by this chapter and who fails to comply with a final order issued in accordance with the provisions of this chapter may be subject to enforcement procedures before a special master of the city and to penalties as set forth in Chapter 30 of this Code.

Sec. 50-15. - Fire alarms, regulations, penalties, enforcement.

- (a) Purpose of regulation. The purpose of this section is to place responsibility on the alarm user to prevent, by use of appropriate mechanical, electrical, or other means, false fire alarms.
- (b) Scope of regulations. The provisions of this section shall apply throughout the geographical area serviced [by] the Miami Beach Fire Department.
- (c) Definitions.
- (1) Alarm user means the person or other entity that owns, possesses, controls, occupies or manages any premises as defined below.
- (2) False fire alarm means a signal from a fire alarm system that elicits a response by the Fire Department when no actual or threatened fire-related emergency exists. This definition includes signals activated by negligence, accident, mechanical failure, and electrical failure signals activated intentionally in non-emergency situations; and signals for which the actual cause of activation is unknown. It is a rebuttable presumption that a fire alarm is false if personnel responding from the Fire Department do not discover any evidence of fire or other emergency after following normal Fire Department operating procedures in investigating the incident. An alarm is not false if the alarm user provides evidence that (1) an individual activated the alarm based upon a reasonable belief that a fire-related emergency existed; (2) the alarm system was activated by lightning or an electrical surge that caused physical damage to the system, as evidenced by the testimony of a licensed alarm system contractor who conducted an on-site inspection and personally observed the damage to the system; or (3) the alarm was activated by vandals.
- (3) Fire alarm system means any assembly of equipment, mechanical or electrical, arranged to signal the occurrence of fire-related emergency, requiring urgent attention and to which Fire Department personnel may reasonably be expected to respond, but does not include household fire alarm systems installed in one- or two-family dwellings.
- (4) Household fire alarm system means a system of devices that is listed for residential use and installed in a one- or two-family dwelling other than facilities that are required to be licensed.
- (5) Premises means the building or structure, or portion of a building or structure, upon which a fire alarm system is installed or maintained.
- (6) Vandals means a person or persons who willfully cause damage to the fire alarm system which results in the activation of a fire alarm.
- (d) Fire alarms; posting requirements. A fire alarm user shall conspicuously post at the main entrance to the alarm user's premises a notice stating (1) the name of an individual or alarm company able and authorized to enter the premises and deactivate the alarm; (2) emergency telephone numbers by which those individuals can be reached at all times; and (3) the name and address of the alarm user. The information must be kept current and failure to update this information within 48 hours of any change constitutes a violation of this section.
- (e) False fire alarms prohibited. No fire alarm user shall cause, allow, permit or suffer the fire alarm system to emit three or more false alarms in any calendar year.
- (f) Inspection requirements/post activation. After the second and each additional false fire alarm in one calendar year, the alarm user shall, within 30 days, after the second or subsequent fire alarm activation, file a written inspection and test report with the Fire Department from a licensed fire alarm contractor stating that the fire alarm system has been

inspected and tested since the last false fire alarm. The report shall set forth the probable cause of the activation, description of any repairs, modifications made or actions taken to prevent additional false alarm activations. The inspection and test report shall also state that the system is currently fully functional without deficiencies.

(g) Penalties. A violator of this section shall receive a fine(s) as follows:

- (1) For the first false alarm within a calendar year: A notice of violation with no fine.
- (2) For the second false alarm within a calendar year: A notice of violation with no fine.
- (3) For the third and fourth false alarm within a calendar year: A citation with a fine of \$250.00.
- (4) For the fifth false alarm and subsequent false alarms including the twelfth false alarm within a calendar year: A citation with a fine of \$500.00.
- (5) For the thirteenth and subsequent false alarms within a calendar year: A citation with a fine of \$1,000.00.

(h) Enforcement. The fire inspector shall issue a citation for each false alarm. A violator who has been issued a citation under this section shall elect either to:

- (1) Pay the civil fine in the manner indicated on the citation; or
- (2) Request an administrative hearing before a special master to appeal the decision of the fire inspector which resulted in the issuance of the citation.

(i) Appeal of a citation. The violator may appeal the citation by requesting an administrative hearing within ten days from the date of issuance. The procedures for appeal of the citation shall be as set forth in Chapter 30, as may be amended from time to time.

(j) Failure to appeal. Failure of the named violator to appeal the citation within the prescribed time period shall constitute a waiver of the violator's right to an administrative hearing before the special master. A waiver of the right to an administrative hearing shall be treated as an admission of the citation, and fines are owed to the City. Unpaid fines may result in the imposition of larger fines and/or further enforcement as set forth in this Chapter.

(k) Appeal of special master's decision. Any party aggrieved by the decision of a special master may appeal that decision as provided by applicable Florida Statutes and Florida Rules of Appellate Procedure.

(l) Imposition of civil fines. The City may institute proceedings in a court of competent jurisdiction to compel payment of civil fines. A certified copy of an order imposing a civil fine may be recorded in the public records and thereafter shall constitute a lien upon any other real or personal property owned by the violator, and it may be enforced in the same manner as a court judgment by the sheriffs of this state, including levy against the personal property, but shall not be deemed to be a court judgment except for enforcement purposes. After two months from the filing of any such lien which remains unpaid, the City may institute proceedings to foreclose or otherwise execute on the lien.

SECTION 4. That Chapter 66, "Marine Structures, Facilities and Vehicles," Article III, "Piers, Docks, and Boat Ramps," is hereby amended as follows:

Sec. 66-114. - Fee schedule for examination of plans, reinspections and special projects.

- (a) Up-front processing fee. When the building permit application for a marine structure is received by the city, the applicant shall pay an up-front processing fee as specified in appendix A. This processing fee is not refundable, but shall be credited toward the final permit fee. This fee is in addition to fees which are required pursuant to chapter 14 and 98 of this Code and relates to examination of plans and inspections by the marine inspector to determine compliance with this chapter.
- ~~(b) New marine structure and/or additions. See appendix A.~~
- ~~(c) Alterations and repairs to marine structures. See appendix A.~~
- (b) Reinspection fees.
 - (1) With respect to inspections, if the city finds it necessary, in order to enforce compliance with state statutes, the Florida Building Code, and the city's land development regulations to conduct an inspection, after an initial inspection and one subsequent reinspection, of any project or activity for the same code violation specifically and continuously noted in each rejection, including but not limited to, egress, fire protection, structural stability, energy, accessibility, lighting, ventilation, electrical, mechanical, plumbing, and gas systems, or other requirements identified by the rule of the Florida Building Commission, state statutes or the city's land development regulations, a fee of four times the cost of initial inspection or first reinspection, whichever is greater, for each subsequent reinspection shall be paid. The inspection cost is determined by multiplying the actual time spent by the inspector by the inspection fee hourly rate, as defined in subsection 14-61 (c)(1) and as specified in appendix A.
 - (2) Payment of the reinspection fee shall be required before any subsequent permits will be issued to the person or entity owing same. Further inspections SHALL be withheld until payment of reinspection fees has been made.
 - ~~(1) When an extra inspection trip is necessary due to incorrect address given on a call for inspection, prior rejection of work due to faulty construction, or work not being ready for inspection at time specified, a fee as specified in appendix A for each reinspection may be charged to the permit holder in the trade concerned.~~
 - ~~(2) If it is determined by the field inspector concerned that the job has the same problem after the reinspection fee is assessed and paid, a second reinspection fee as specified in appendix A shall be charged.~~
 - ~~(3) Payment of the reinspection fee shall be required before any permits will be issued to the person or firm owing same. Further inspection may be refused until payment of reinspection fees has been made.~~
- ~~(e) Special projects fee. A fee equal to actual staff time and related costs shall be assessed for special projects requiring research by the marine inspector/assignee in order to answer questions proposed by developers, attorneys, and realtors, in connection with boat slips, docks, wharves, piles, or similar structures, or to determine if any existing violations are on the property through a review of departmental records. Such special fees will be levied only for requests outside the scope of normal departmental work. A minimum fee as specified in appendix A shall be charged.~~

SECTION 5. That Chapter 86, "Sales," Article II, "Garage Sales," Division 2, "Permit," is hereby amended as follows:

Sec. 86-56. - Required.

- (a) No person shall conduct a garage sale within the city without first obtaining a permit.
- (b) All persons wishing to obtain a garage sale permit shall make application at the code compliance department of the city, and shall pay a fee as specified in appendix A, or at no cost if permit is applied for and obtained online.

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SECTION 6. That Chapter 98, "Streets and Sidewalks," Article III, "Excavations," Division 2, "Permit," is hereby amended as follows:

Sec. 98-92. - Application; amount of deposit; use of deposit to replace surface; permit fee.

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- (d) Permit fees will be computed only for the primary item of work for which a permit is required. The fee collected will also cover items of work incidental to the primary item and all processing and inspection services rendered by the department of public works.
- ~~(e) A surcharge to building permits in the amount(s) set forth in appendix A will be added by the public works department for construction activities which may impact city owned property, rights of way, or easements. The surcharge collected will cover processing, plans review, and inspection services rendered by the department. The surcharge rate in appendix A will be administratively adjusted annually to reflect increases or decreases in the Consumer Price Index for consumers in the southeast United States for all items, unless otherwise directed by the city commission. Notwithstanding the preceding sentence, the rate adjustment set to take place in February 2012, shall be waived, finding such waiver to be in the best interest of the city and of the public.~~
- ~~(f) Permits for work not identified in appendix A. If it is determined that no specific fee category directly matches a permit application request, the public works directors may identify a category that closely matches the level of effort or determine what the work will be charged at based on the time dedicated for plans review and inspection. The public works director may require an up-front fee and a deposit to cover the estimated cost of the services to be provided.~~
- ~~(g) Expired permits. Where the permit is revoked, or becomes null and void, or expires because of lack of work or abandonment, a new permit covering the proposed construction shall be obtained before proceeding with the work, pursuant to Section 105.4.1.1. of the Florida Building Code. If no more than 180 days of the expiration date of the original permit has passed, and no refund has been made according to this section, the applicant may apply to renew the permit. The reapplication must be covering the same project and involving the same plans, and must be submitted with the plans and the applicant's validated copy of the original permit. A fee of 25 percent of the original permit fee, plus an additional \$57.00 processing fee, shall be charged for a renewal under these circumstances.~~

~~Where the permit is revoked, or becomes null and void or expires because of lack of work or abandonment, a new permit covering the proposed construction shall be obtained before~~

~~proceeding with the work, pursuant to Section 105.4.1.1. of the Florida Building Code. If more than 180 days, but no more than 365 days, since the expiration date of the original permit has passed, and no refund has been made according to this section, the applicant may apply to renew the permit. The reapplication must be covering the same project and involve the same plans, and must be submitted with the plans and the applicant's validated copy of the original permit. A fee of 25 percent of the original permit fee, plus a fee of 20 percent of the new permit fee, shall be charged for a renewal under these circumstances.~~

~~For permits that have expired where the only missing component is one or more final inspection(s), the fee for reopening the permit, performing the final inspection(s), and providing a final approval on the permit shall be charged at based on the time dedicated for inspection(s).~~

- ~~(h) The rates in appendix A for permit fees pertaining to this chapter shall be reevaluated administratively no less than every three years for the last adopted changes. Any recommended changes shall be brought to the city commission for consideration and final approval.~~
- ~~(i) Expedited plans review and inspection fee. Upon request from the applicant, the department may schedule an expedited plans review or inspection, on an overtime basis by city staff. When such service is provided, the applicant will reimburse the city for the cost of the city employee(s), in addition to the regular permit and other applicable fees.~~

Sec. 98-93. Waiver Public Works review fees associated with the building process levied.

~~The director of public works shall waive the permit fee for all work or excavations performed by the United States, the state, the county, or any agency or instrumentality thereof, or any entity granted a franchise by the city whose permit fees are, by the terms of the franchise, deductible from the payments required by the franchise, whether this work is performed by employees of the agency, by the franchisee, or by a private firm, person or corporation under contract with the governmental agency or franchisee. However, such franchisee, governmental agency or private firm, person or corporation under contract therewith shall not be relieved of the responsibility for obtaining a permit for work or excavations subject to this article and shall otherwise comply with the provisions of this article.~~

- (a) Levied Permits. A separate public works review fee associated with the building permit plans review process is hereby levied and imposed, and shall apply to the city's public works department reviews of construction activities which may impact city-owned property, rights-of-way, or easements, building, plumbing, electrical and mechanical permits and other plans review activities associated with the permit plans review process undertaken by that department. Said fee shall be collected by the building department on behalf of the planning department. Inspections and other fees of the planning department of the city are hereby levied and imposed and shall apply to building, plumbing, electrical and mechanical permits and other activities undertaken by that department as outlined in appendix A.
- (b) Double fees. Any person who commences any work on a building, structure, electrical, gas, mechanical or plumbing systems before obtaining the building official's approval or the necessary permits shall be subject to a penalty of 100 percent of the required permit fee, in addition to the required permit fees, plus a penalty for the first, second and subsequent offenses as outlined in appendix A.
- (c) Reinspection fees.

- (1) With respect to inspections, if the city finds it necessary, in order to enforce compliance with state statutes, the Florida Building Code, and the city's land development regulations to conduct an inspection, after an initial inspection and one subsequent reinspection, of any project or activity for the same code violation specifically and continuously noted in each rejection, including but not limited to, egress, fire protection, structural stability, energy, accessibility, lighting, ventilation, electrical, mechanical, plumbing, and gas systems, or other requirements identified by the rule of the Florida Building Commission, state statutes or the city's land development regulations, a fee of four times the cost of initial inspection or first reinspection, whichever is greater, for each subsequent reinspection shall be paid. The inspection cost is determined by multiplying the actual time spent by the inspector by the inspection fee hourly rate, as defined in subsection 15-31(g) and as specified in appendix A.
- (2) Payment of the reinspection fee shall be required before any subsequent permits will be issued to the person or entity owing same. Further inspections SHALL be withheld until payment of reinspection fees has been made.
- (d) Lost plans fee. When permitted set of plans are lost by the applicants, owners, contractors, or any of their representatives, a recertification fee will be required to reproduce, stamp and approve a new set of plans as a field copy. Such fee shall be based on a cost per page as specified in appendix A.
- (e) Revised plans review fee. The charge for plans review of revisions to a permitted set of plans shall be as specified in appendix A.
- (f) Lost permit card fee. After a permit has been issued, if the permit inspection card has been lost, a fee as specified in appendix A shall be charged to resign or recertify the replacement.
- (g) Inspection fee hourly rate. The inspection fee hourly rate, as specified in appendix A, is determined at the beginning of each fiscal year based on the department's approved overhead and indirect costs and the resources assigned to inspection program.
- (h) Plans re-review fee. When extra plans reviews are due to the failure to correct code violations specifically and continuously noted in each rejection, including, but not limited to, egress, fire protection, structural stability, energy, accessibility, lighting ventilation, electrical, mechanical, plumbing, and gas systems, or other requirements identified by the rule of the Florida Building Commission, in compliance with F.S. § 553.80(2)(b), each time after the third such review that plans are rejected for the same code violation, a fee of four times the amount of the proportion of the permit fee shall be attributed to plans review.
- (i) Expedited plans review and inspection fee. Upon request from the applicant, the department may schedule an expedited plans review or inspection, on an overtime basis by city staff. When such service is provided, a fee as specified in appendix A shall be charged, in addition to the regular permit fee and other applicable fees. Expedited plan review service may be requested by the applicant with a cost plus fee incurred in addition to the regular permit fee and other applicable fees.
- (j) Permits for work not identified in appendix A. If it is determined that no specific fee category directly matches a permit application request, the department director may identify a category that closely matches the level of effort or determine what the work will be charged at based on the time dedicated for plans review and inspection. The department director may require an upfront fee and a deposit to cover the estimated cost of the services to be provided.

- (k) City projects. The cost of enforcing state statutes, building code or the city's land development regulations on city related projects will be reimbursed based on the actual time spent in the processing, review and inspection of such projects. The payment will be due prior to issuance of the certificate of occupancy or completion for the project. Effective October 1, 2011, for any active permit applied for on or after February 1, 2010, fees shall be based on the permit fee schedule in place at the time of the permit application submittal, and should be paid accordingly.
- (l) [Annual adjustment of rates.] The rates in appendix A pertaining to this division will be administratively adjusted annually to reflect increase(s) or decrease(s) in the Consumer Price Index for all urban consumers, CPI-U.
- (m) Electronic concurrent plan processing. In order to create a more efficient permitting process, the building department will be implementing procedures to process plans electronically via an automated workflow. Once implemented, the department will request that applicants submit plans in an electronic format. If the applicant chooses to submit paper plans, the director, or his designee has the authority to invoice for reimbursement of the conversion of documents submitted to an electronic format.
- (n) Phase permits. The Building Official is authorized by the Florida Building Code to provide early start approval. The holder of such permit shall proceed at the holder's own risk with the building construction and without assurance that a permit for the entire structure will be granted. A fee as specified in appendix A shall be paid for the public works department's review if necessary.

Sec. 98-94. - Waiver Building permits.

~~The fees charged pursuant to this Code may be refunded by the public works director subject to the following:~~

- ~~(1) No refunds shall be made on requests involving:~~
- ~~a. Permit fees of \$100.00 or less; or~~
 - ~~b. Permits revoked by the fire marshal or building official; or~~
 - ~~c. Permits cancelled by court order; or~~
 - ~~d. Permits which have expired; or~~
 - ~~e. Permits under which work has commenced as evidenced by any recorded inspection having been made by the department.~~
- ~~(2) A full refund shall be granted to a permit holder who takes out a permit covering work outside the jurisdictional inspection area.~~
- ~~(3) A full refund, less the minimum up front permit fee and any outside agency fees shall be granted to a permit applicant who requests a refund in writing, provided that no plan review has commenced.~~
- ~~A full refund, less \$100.00 or the up front permit fee, whichever amount is greater, rounded down to the nearest dollar, and any outside agency fees shall be granted to a permit applicant who requests a refund in writing, provided that a permit has not been issued.~~

~~A full refund, less \$100.00 or the up-front fee, whichever amount is greater, rounded down to the nearest dollar, and any outside agency fees shall be granted to a permit holder (to whom a permit has been issued) who requests a refund in writing, provided:~~

- ~~a. That the permit holder makes a written request prior to the permit expiration date; and~~
- ~~b. That a validated copy of the permit be submitted with such request; and~~
- ~~c. That no work, as evidenced by any recorded inspection, has commenced under such permit.~~

(a) Up-front processing fee.

(1) When the building permit application is received, the applicant shall pay an "up front" processing fee as specified in appendix A.

(2) This processing fee is not refundable, but shall be credited toward the final building permit fee. The "up front" processing fee, after it is calculated, shall be rounded up to the nearest \$5.00, with a minimum fee as specified in appendix A.

(b) Refunds, time limitations, cancellations, change of contractor. The fees charged pursuant to the schedule in appendix A, provided the same are for a permit required by Section 105.1 of the Florida Building Code, may be refunded by the building official subject to the following:

(1) No refunds shall be made on requests involving:

- a. Permit fees of the minimum permit fee as specified in appendix A or less; or
- b. Permits for which plans review has commenced; or
- c. Permits revoked by the building official under authority granted by the Florida Building Code; or
- d. Permits cancelled by court order; or d. Permits which have expired; or
- e. Permits under which work has commenced as evidenced by any recorded inspection having been made by the department, unless the refund is due to an overcharge by the city.

(2) A full refund shall be granted to a permit holder who takes out a permit covering work outside the jurisdictional inspection area.

(3) A full refund less the minimum up-front permit fee and any outside agency fees shall be granted to a permit applicant who requests a refund in writing within one year of payment, provided that no plan review has commenced.

A full refund less the minimum permit fee as specified in appendix A or the up-front permit fee, whichever amount is greater, rounded down to the nearest dollar, and any outside agency fees shall be granted to a permit applicant who requests a refund in writing within one year of payment, provided that a permit has not been issued.

A full refund less the minimum permit fee as specified in appendix A or the up-front permit fee, whichever amount is greater, rounded down to the nearest dollar, and any outside agency fees shall be granted to a permit holder (to whom a permit has been issued) who requests a refund in writing within one year of payment, provided:

- a. That the permit holder makes a written request prior to the permit expiration date; and
- b. That no work as evidenced by any recorded inspection has commenced under such permit.

(4) Where the permit is revoked, or becomes null and void, or expires because of lack of work or abandonment, a new permit covering the proposed construction shall be obtained before proceeding with the work, pursuant to Section 105.4.1.1 of the Florida Building Code. If no more than 180 days of the expiration date of the original permit has passed, and no refund has been made according to this section, the applicant may apply to renew the permit. The reapplication must be covering the same project and involving the same plans, and must be submitted with the plans and the applicant's validated copy of the original permit. A fee of 25 percent of the original permit fee, plus an additional processing fee equivalent to the minimum permit fee as specified in appendix A, shall be charged for a renewal under these circumstances.

For permits that have expired where the only missing component is one or more final inspections, the fee for reopening the permit, performing the final inspection(s), and providing a final approval on the permit shall be charged based on the minimum building permit fee.

(5) Every application submitted for permit will be evaluated and fees assessed accordingly whether it is for a master permit a standalone permit or a subcontract/trade subsidiary permit. All submittals will be assessed the fees as prescribed in appendix A, or the minimum permit fee, whichever is greater.

(c) Public Works Fees associated with a building permit are as specified in appendix A.

Sec. 98-95. - Certificates of occupancy or completion.

Certificate of occupancy or completion. In order to obtain temporary, or final occupancy or completion as required by the Florida Building Code, the following original fees shall be paid for the purpose of defraying the costs of processing the certificate, including any necessary inspections.

- a. Final certificate of occupancy or completion. Certificate of occupancy or completion fees shall be as specified in appendix A.
- b. Temporary certificate of occupancy or completion. Temporary certificate of occupancy or completion fees shall be as specified in appendix A. The certificate of occupancy or completion is the certificate of use for that facility for the first year of operation or part thereof.

Sec. 98-96. - Forty-year building recertification program.

There shall be a plan review and inspection fee for repairs or modifications to buildings as required by the 40-year building recertification program, pursuant to Miami-Dade County Code Chapter 8, Section 8-11(f).

Sec. 98-97. - Employee training, education, safety and technology enhancements.

A surcharge to building, electrical, mechanical, plumbing and demolition permits will be added for training, education and safety of the planning department employees, and to procure and implement the latest technologies available for enhancement of services provided by the department, according to the schedule specified in appendix A.

Sec. 98-98. - General information.

- a. A separate fire safety, public works and/or zoning review fee associated with the building permit process shall be charged as outlined in appendix A.
- b. Documents. Requests for copies of fire department records, inspection reports, logs, or similar documents maintained by the planning department will be charged a fee as specified in appendix A.

Sec. 98-99. - Interest.

The city is authorized to charge interest to any amount due when not paid by the due date. The interest rate shall be at the highest legal limit authorized by law, plus collection costs and attorneys' fees.

Sec. 98-100 - Waiver.

The director of public works shall waive the permit fee for all work or excavations performed by the United States, the state, the county, or any agency or instrumentality thereof, or any entity granted a franchise by the city whose permit fees are, by the terms of the franchise, deductible from the payments required by the franchise, whether this work is performed by employees of the agency, by the franchisee, or by a private firm, person or corporation under contract with the governmental agency or franchisee. However, such franchisee, governmental agency or private firm, person or corporation under contract therewith shall not be relieved of the responsibility for obtaining a permit for work or excavations subject to this article and shall otherwise comply with the provisions of this article.

SECTION 7. REPEALER.

All ordinances or parts of ordinances and all section and parts of sections in conflict herewith be and the same are hereby repealed.

SECTION 8. CODIFICATION.

It is the intention of the City Commission, and it is hereby ordained that the provisions of this ordinance shall become and be made part of the Code of the City of Miami Beach as amended; that the sections of this ordinance may be renumbered or relettered to accomplish such intention; and that the word "ordinance" may be changed to "section" or other appropriate word.

SECTION 9. SEVERABILITY.

If any section, subsection, clause or provision of this Ordinance is held invalid, the remainder shall not be affected by such invalidity.

SECTION 10. EFFECTIVE DATE.

This Ordinance shall take effect on April 1, 2016 following adoption.

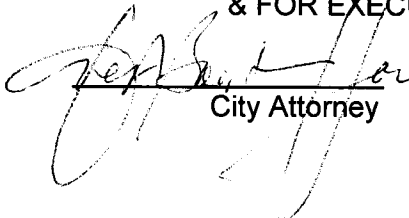
PASSED and **ADOPTED** this _____ day of _____, 2015.

ATTEST:

Philip Levine, Mayor

Rafael E. Granado, City Clerk

APPROVED AS TO
FORM AND LANGUAGE
& FOR EXECUTION

 for 10-12-2015

City Attorney Date

First Reading:
Second Reading:

Underscore denotes new language
~~Strikethrough~~ denotes deleted language

[Sponsored by Commissioner Joy Malakoff]

CITY CENTER CRA REVENUE PROJECTION

Notes: Schedule does not include capital transfers for FY 2012/13 after which available balance is 0
Includes 2014 Preliminary Tax Roll DR420 and 2015 Estimate
Includes FY 2015-16 millage and new millage projections
Future Payments do not account for prior year roll adjustments (except FY 2014/15)
Extension of current life until FY 2043-44
New Bond of NTE \$430M at 5.5% for 29 years - first payment in FY 2015/16 and last in FY 2043/44
CRA Operating Expenses increase at the lesser of CPI or 3% (except FY 2014/15 @ 1.5%)
Reimbursement of Bass Museum and Lincoln Road debt in 2015 & 2016
Convention Center Operating Subsidy increased at the lesser of CPI or 4% for 2026 and forward

Roll Year	FY	Pre Tax Roll	Roll Growth	Base Year	Increment	County Millage	City Millage	County Revenue	City Revenue	Total TIF Rev	Current Debt Service	Convention Center Operating Subsidy	New Debt Service	CRA Operating Expenses	Rebate of County Share of Operating Costs	County Admin Fee 1.5%	Contribution to CMB 1.5%	Remaining Funding	Cumulative Sinking Fund for Debt Retirement
BASE YEAR	1992			292,572,271															
2004	2005	1,633,198,959	8.98%	292,572,271	1,340,626,688	5.9350	7.4250	7,235,626	9,456,445	16,692,071									
2005	2006	2,270,498,203	39.02%	292,572,271	1,977,926,932	5.8350	7.4810	10,562,763	14,057,028	24,619,791									
2006	2007	3,003,965,939	32.29%	292,572,271	2,710,993,668	5.6150	7.3740	14,452,835	18,980,961	33,433,796									
2007	2008	3,585,310,480	19.37%	292,572,271	3,292,738,209	4.5796	5.6555	13,956,936	17,218,505	31,175,441									
2008	2009	3,707,103,133	3.40%	292,572,271	3,414,530,862	4.8379	5.6555	14,846,467	17,233,346	32,079,813									
2009	2010	3,446,724,523	-7.02%	292,572,271	3,154,152,253	4.8379	5.6555	14,496,500	15,767,520	30,264,020									
2010	2011	3,404,963,716	-1.21%	292,572,271	3,112,391,447	5.4275	6.2155	14,785,495	16,902,090	31,687,585	9,956,253								
2011	2012	3,423,353,944	0.54%	292,572,271	3,130,781,673	4.8050	6.1655	12,924,079	17,337,693	30,261,772	9,956,253								
2012	2013	3,608,718,451	5.41%	292,572,271	3,316,146,180	4.7035	6.0909	13,184,224	18,186,399	31,372,623									
2013	2014	3,871,408,731	7.28%	292,572,271	3,578,837,460	4.7035	5.8634	15,917,409	19,840,948	35,758,357	9,956,253								
2014	2015	4,180,153,326	7.97%	292,572,271	3,887,581,055	4.6669	5.7942	16,177,560	20,018,151	36,195,711	9,812,000								
2015	2016	4,821,643,185	15.35%	292,572,271	4,529,070,914	4.6669	5.7092	21,148,736	25,672,070	46,820,806	1,322,000								
2016	2017	5,062,725,344	5.00%	292,572,271	4,770,153,073	4.6669	5.7092	21,148,736	25,672,070	46,820,806									
2017	2018	5,315,861,611	5.00%	292,572,271	5,023,289,340	4.6669	5.7092	22,271,030	27,245,015	49,516,045									
2018	2019	5,501,916,768	3.50%	292,572,271	5,209,344,497	4.6669	5.7092	23,095,915	28,254,130	51,350,045									
2019	2020	5,684,483,855	3.50%	292,572,271	5,401,911,584	4.6669	5.7092	23,949,672	29,298,564	53,248,236									
2020	2021	5,893,760,790	3.50%	292,572,271	5,601,218,519	4.6669	5.7092	24,833,310	30,379,553	55,212,863									
2021	2022	6,100,072,467	3.50%	292,572,271	5,807,501,196	4.6669	5.7092	25,747,876	31,498,377	57,246,253									
2022	2023	6,313,576,039	3.50%	292,572,271	6,021,003,768	4.6669	5.7092	26,694,451	32,656,359	59,350,810									
2023	2024	6,534,551,200	3.50%	292,572,271	6,241,978,929	4.6669	5.7092	27,674,157	33,854,871	61,529,028									
2024	2025	6,763,260,492	3.50%	292,572,271	6,470,688,221	4.6669	5.7092	28,688,152	35,095,331	63,783,483									
2025	2026	6,999,974,609	3.50%	292,572,271	6,707,402,338	4.6669	5.7092	29,737,637	36,379,206	66,116,844									
2026	2027	7,244,973,721	3.50%	292,572,271	6,952,401,450	4.6669	5.7092	30,823,854	37,708,018	68,531,872									
2027	2028	7,498,547,801	3.50%	292,572,271	7,205,975,530	4.6669	5.7092	31,948,089	39,083,338	71,031,427									
2028	2029	7,760,996,974	3.50%	292,572,271	7,468,424,703	4.6669	5.7092	33,111,672	40,506,784	73,618,455									
2029	2030	8,032,631,868	3.50%	292,572,271	7,740,056,597	4.6669	5.7092	34,315,960	41,980,071	76,296,051									
2030	2031	8,313,773,983	3.50%	292,572,271	8,021,201,712	4.6669	5.7092	35,562,439	43,504,913	79,067,352									
2031	2032	8,604,755,073	3.50%	292,572,271	8,312,183,802	4.6669	5.7092	36,852,524	45,083,124	81,935,648									
2032	2033	8,905,952,535	3.50%	292,572,271	8,613,350,264	4.6669	5.7092	38,187,762	46,716,572	84,904,334									
2033	2034	9,217,629,824	3.50%	292,572,271	8,925,057,553	4.6669	5.7092	39,569,734	48,407,192	87,976,925									
2034	2035	9,540,246,868	3.50%	292,572,271	9,247,674,597	4.6669	5.7092	41,000,074	50,156,983	91,157,057									
2035	2036	9,874,155,508	3.50%	292,572,271	9,581,583,237	4.6669	5.7092	42,480,476	51,968,016	94,448,493									
2036	2037	10,219,750,951	3.50%	292,572,271	9,927,178,680	4.6669	5.7092	44,012,693	53,842,436	97,855,129									
2037	2038	10,577,442,234	3.50%	292,572,271	10,284,869,963	4.6669	5.7092	45,598,537	55,782,461	101,380,997									
2038	2039	10,947,652,712	3.50%	292,572,271	10,655,080,441	4.6669	5.7092	47,239,885	57,790,386	105,030,271									
2039	2040	11,330,820,557	3.50%	292,572,271	11,038,248,286	4.6669	5.7092	48,938,681	59,663,589	108,602,270									
2040	2041	11,727,939,277	3.50%	292,572,271	11,434,827,006	4.6669	5.7092	50,696,934	61,613,529	112,310,463									
2041	2042	12,137,656,252	3.50%	292,572,271	11,845,286,981	4.6669	5.7092	52,516,727	64,245,751	116,762,478									
2042	2043	12,562,683,290	3.50%	292,572,271	12,270,111,019	4.6669	5.7092	54,400,212	66,834,892	120,950,104									
2043	2044	13,002,377,206	3.50%	292,572,271	12,709,804,935	4.6669	5.7092	56,349,619	68,934,617	125,284,297									

***FY 2013-14 and prior payments are actual payments
***Payments after FY 2013-14 do not include adjustments for previous year final tax rolls

FY 2013-14 City Center Operating Budget Expenses	
Administration	1,961,000
Community Policing	4,195,000
Capital Projects Maintenance	5,095,000
Transfer to Penn Garage	not included
Total	11,251,000

EXHIBIT B

Condensed Title:

A Resolution Of The Mayor And City Commission Of The City Of Miami Beach, Florida, Creating, Pursuant To Chapter 170, Florida Statutes, A Special Assessment District To Be Known As The Sunset Islands 3 & 4 Utility Improvement District, For A Term Of Ten (10) Years, To Fund The Placement Underground Of Utilities On Sunset Islands 3 & 4, At An Estimated Cost Of \$2,412,398; Providing For The Levy And Collection Of Special Assessments To Fund The Improvements; Providing The Manner In Which Such Special Assessments Shall Be Made; Providing When Such Special Assessments Shall Be Made; Designating The Lands Upon Which The Special Assessments Shall Be Levied; Providing For Publication Of This Resolution; And Authorizing Related Actions.

Key Intended Outcome Supported:

Build and maintain priority infrastructure with full accountability.

Supporting Data (Surveys, Environmental Scan, etc.): The 2014 Customer Satisfaction Survey indicated that over 77% of residents rated recently completed capital improvement projects as "excellent" or "good".

Item Summary/Recommendation:

On February 20, 2002, the Mayor and City Commission adopted Resolution No. 2002-24761, authorizing the City Administration and City Attorney's Office to proceed with the creation of a special assessment district, pursuant to Chapter 170, Florida Statutes, for the purpose of funding the relocation underground of overhead utility lines on Sunset Islands 3 & 4 (the "District").

On February 8, 2012, the Mayor and City Commission adopted Resolution No. 2012-27842, which, among other things, approved and allowed the Sunset Islands 3 & 4 Homeowners Association ("HOA") to proceed with the election requirement establishing the proposed special assessment district, with at least sixty percent (60%) of the benefitted property owners within such district vote in favor of its establishment and of the levy of special assessments to fund the costs of the relocation underground of overhead utilities.

In 2012, eighty-one percent (81%) of the homeowners on Sunset Islands 3 & 4 voted in favor of funding the relocation underground of overhead utilities through the creation, by the City Commission, of a special assessment district. The City will provide advance funding for the undergrounding work and will execute agreements with each utility company based on each company's binding estimate. The City will be reimbursed through the levy and collection of special assessments from the property owners.

The City intends to perform the undergrounding of the utilities on Sunset Islands 3 & 4 in conjunction with the Neighborhood No. 8: Sunset Islands 3 & 4 Right-of-Way Infrastructure Improvements Project.

The total cost associated with undergrounding includes the binding estimates from the franchise utility companies (FPL, ATT, and ABB), costs to install the conduits and related components by the City's contractor, project management fees, financing costs and City of Miami Beach Administration fees which totals \$2,412,398.

The City will obtain a bank loan to fund this project. No general fund revenues or reserves will be used for this project. Once the City Commission adopts this first Resolution to create the District, the Administration can begin to secure financing for the project.

Upon adoption of this first Resolution, and pursuant to Section 170.05, Florida Statutes, the City shall cause the Resolution to be published in a newspaper of general circulation.

Upon completion of the preliminary assessment roll, the Mayor and City Commission must adopt a subsequent Resolution to schedule a public hearing at which the owners of the properties to be assessed or any other persons interested therein may appear before the Mayor and City Commission and be heard. Thirty days' notice in writing of such hearing will be provided to each property owner.

Following the public hearing, the Mayor and City Commission shall make a final decision on whether to levy the special assessments.

Once the City Commission adopts this first resolution accepting the City's project (i.e., installation of conduits and related components, but excluding the connection of public properties to the underground utilities) as complete, the City may begin invoicing property owners for the special assessments.

The Administration recommends approval of the resolution.

Advisory Board Recommendation:



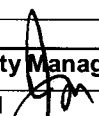
Financial Information:		Amount	Account
Funds:	1		
	2		
OBPI	Total		

Financial Impact Summary: N/A

City Clerk's Office Legislative Tracking:

David Martinez, Ext. 6972

Sign-Offs:

Department Director	Assistant City Manager	City Manager
DM 	ETC 	JLM 

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MIAMI BEACH

City of Miami Beach, 1700 Convention Center Drive, Miami Beach, Florida 33139, www.miamibeachfl.gov

COMMISSION

MEMORANDUM

TO: Mayor Philip Levine and Members of the City Commission

FROM: Jimmy L. Morales, City Manager

DATE: October 14, 2015

SUBJECT: **A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, CREATING, PURSUANT TO CHAPTER 170, FLORIDA STATUTES, A SPECIAL ASSESSMENT DISTRICT TO BE KNOWN AS THE SUNSET ISLANDS 3 & 4 UTILITY IMPROVEMENT DISTRICT, FOR A TERM OF TEN (10) YEARS, TO FUND THE PLACEMENT UNDERGROUND OF UTILITIES ON SUNSET ISLANDS 3 & 4, AT AN ESTIMATED COST OF \$2,412,398; PROVIDING FOR THE LEVY AND COLLECTION OF SPECIAL ASSESSMENTS TO FUND THE IMPROVEMENTS; PROVIDING THE MANNER IN WHICH SUCH SPECIAL ASSESSMENTS SHALL BE MADE; PROVIDING WHEN SUCH SPECIAL ASSESSMENTS SHALL BE MADE; DESIGNATING THE LANDS UPON WHICH THE SPECIAL ASSESSMENTS SHALL BE LEVIED; PROVIDING FOR PUBLICATION OF THIS RESOLUTION; AND AUTHORIZING RELATED ACTIONS.**

FUNDING

The City will obtain a loan to fund this project. No general fund revenues or reserves will be used for this project.

ADMINISTRATION RECOMMENDATION

The Administration recommends adopting the Resolution.

BACKGROUND

On February 20, 2002, the Mayor and City Commission adopted Resolution No. 2002-24761, authorizing the City Administration and City Attorney's Office to proceed with the creation of a special assessment district, pursuant to Chapter 170, Florida Statutes, for the purpose of funding the relocation underground of overhead utility lines on Sunset Islands 3 & 4 (the "District").

On February 8, 2012, the Mayor and City Commission adopted Resolution No. 2012-27842, which, among other things, approved and allowed the Sunset Islands 3 & 4 Homeowners Association ("HOA") to proceed with the election requirement imposed by the City Commission in or about 2002, which requires that, as a condition precedent to the final establishment of the proposed special assessment district, at least sixty percent (60%) of the

benefitted property owners within such district vote in favor of its establishment and of the levy of special assessments to fund the costs of the relocation underground of overhead utilities.

In 2012, eighty-one percent (81%) of the homeowners on Sunset Islands 3 & 4 voted in favor of funding the relocation underground of overhead utilities through the creation, by the City Commission, of a special assessment district. Chapter 170, Florida Statutes, authorizes the City to create a special assessment district to fund the undergrounding of electrical (FPL), telephone (ATT), and cable television (ABB) services, pursuant to voluntary agreement with the utilities. The City will provide advance funding for the undergrounding work, and will execute agreements with each utility company based on each company's binding estimate. The City will be reimbursed through the levy and collection of special assessments from the property owners.

On September 10, 2014, the Mayor and City Commission adopted Resolution No. 2014-28749, pursuant to Request for Proposals No. 2014-051-SR, authorizing the Mayor and City Clerk to execute an agreement with Ric-Man International, Inc., for design/build services for the Neighborhood No. 8: Sunset Islands 3 & 4 Right-of-Way Infrastructure Improvements Project. The scope of services consists of right of way improvements, as well as installation of conduits and related components for the future undergrounding of franchise utilities.

On October 14, 2015, the Finance and Citywide Projects Committee ("FCWPC") held a discussion regarding the establishment of a special assessment district on Sunset Islands 3 & 4 to fund the relocation underground of overhead utilities. FCWPC approved staff's recommendation to refer this item to the City Commission, to adopt the first resolution to create the special assessment district.

ANALYSIS

The City intends to perform the undergrounding of utilities on Sunset Islands 3 & 4 in conjunction with the Neighborhood No. 8: Sunset Islands 3 & 4 Right-of-Way Infrastructure Improvements Project. The City's contractor, Ric-Man International, Inc., will install the conduits and related components for the undergrounding, after which the respective utilities will install their wiring and systems.

All the utilities have submitted their design documents including plans, specifications, binding cost estimates, and agreements. The City must execute all agreements and pay the respective utilities for all work to complete the undergrounding of utilities by February 28, 2016.

COSTS

The cost of the undergrounding project is based on the binding estimates that the City has received from the respective utility companies (FPL, ATT, and ABB). The total cost associated with the undergrounding of the franchise utilities includes the amounts set forth in the binding estimates, costs for the City's contractor to install the conduits and related components, project management fees, financing costs, and the City's administrative fees. The total proposed special assessment has been reduced by the amount of the design deposits paid by the HOA, as set forth in the table below. The costs are broken down as follows:

Utility Company	Construction Cost	Design Deposit paid by HOA	Remaining
FPL	\$ 939,915.00	(\$ 9,020.00)	\$ 930,895.00
ATT	\$ 169,056.00	(\$ 8,000.00)	\$ 161,056.00
ABB	\$ 82,626.00		\$ 82,626.00
	<hr/>	<hr/>	
	\$1,191,597.00	(\$17,020.00)	\$1,174,577.00
City's Cost to Install Conduits			\$ 335,675.00
Project Management Fees			\$ 21,750.00
Financing Costs			\$ 774,714.00
CMB Administrative Costs			\$ 135,681.70
<hr/>			
Total Cost			\$2,412,397.70

The City will obtain a bank loan to fund this project. No general fund revenues or reserves will be used for this project. Once the City Commission adopts this first Resolution which creates the District, the Administration can begin to secure financing for the project.

As evidenced by the results of the election held in 2012, the homeowners are prepared to incur the cost of funding the undergrounding of electrical, telephone, and cable television utilities on Sunset Islands 3 & 4, with a total estimated cost of \$2,412,397.70, through the creation of the District, which shall be known as the Sunset Islands 3 & 4 Utility Improvement District. As proposed by the HOA, each property owner will have the option of paying the assessment in one lump sum, or in ten (10) annual installments. For purposes of the District, each folio number will be assessed equally. The Preliminary Assessment Roll and Assessment Plat are attached hereto as Exhibits A and B, respectively.

Each property owner will bear the additional cost associated with the connection of the undergrounded utility systems to each private property. Therefore, such additional costs are excluded from the estimated costs set forth above.

NEXT STEPS

Upon adoption of this first Resolution, and pursuant to Section 170.05, Florida Statutes, the City shall cause the Resolution to be published in a newspaper of general circulation.

Upon completion of the preliminary assessment roll, the Mayor and City Commission must adopt a subsequent Resolution to schedule a public hearing at which the owners of the properties to be assessed or any other persons interested therein may appear before the Mayor and City Commission and be heard as to the propriety and advisability of making such improvements, the costs thereof, the manner of payment therefor, or the amount thereof to be assessed against each lot so improved. Thirty days' notice in writing of such hearing will be provided to each property owner.

Following the public hearing, the Mayor and City Commission shall make a final decision on whether to levy the special assessments. At that time, the Mayor and City Commission shall also serve as an "equalizing board" to hear and consider any and all complaints as to the special assessments, and shall adjust and equalize the assessments on a basis of justice and right.

When so equalized, and approved by Resolution of the Mayor and City Commission, a final assessment roll shall be filed with the City Clerk, and the special assessments (as set forth in the final roll) shall stand confirmed and remain legal, valid, and binding liens upon the property against which such assessments are made, until paid.

Once the City Commission adopts a resolution accepting the City's project (i.e., installation of conduits and related components, but excluding the connection of public properties to the underground utilities) as complete, the City may begin invoicing property owners for the special assessments.

CONCLUSION

The Administration recommends adopting the Resolution.

Exhibit A – Assessment Roll

Exhibit B – Assessment Plat

JM/ETC/DM 

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, CREATING, PURSUANT TO CHAPTER 170, FLORIDA STATUTES, A SPECIAL ASSESSMENT DISTRICT TO BE KNOWN AS THE SUNSET ISLANDS 3 & 4 UTILITY IMPROVEMENT DISTRICT, FOR A TERM OF TEN (10) YEARS, TO FUND THE PLACEMENT UNDERGROUND OF UTILITIES ON SUNSET ISLANDS 3 & 4, AT AN ESTIMATED COST OF \$2,412,398; PROVIDING FOR THE LEVY AND COLLECTION OF SPECIAL ASSESSMENTS TO FUND THE IMPROVEMENTS; PROVIDING THE MANNER IN WHICH SUCH SPECIAL ASSESSMENTS SHALL BE MADE; PROVIDING WHEN SUCH SPECIAL ASSESSMENTS SHALL BE MADE; DESIGNATING THE LANDS UPON WHICH THE SPECIAL ASSESSMENTS SHALL BE LEVIED; PROVIDING FOR PUBLICATION OF THIS RESOLUTION; AND AUTHORIZING RELATED ACTIONS.

WHEREAS, Chapter 170, Florida Statutes, authorizes any municipality to levy special assessments to pay for the relocation of utilities, including the placement underground of electrical, telephone, and cable television services, pursuant to voluntary agreement with the respective utilities; and

WHEREAS, presently, on Sunset Islands 3 & 4, utility lines and equipment for electrical, telephone, and cable television services are located overhead; and

WHEREAS, the residents of Sunset Islands 3 & 4 have expressed a desire to relocate such utilities underground; and

WHEREAS, the relocation underground of utilities protects utility services during severe weather conditions, and enhances the aesthetic appearance of neighborhoods; and

WHEREAS, pursuant to Resolution No. 2002-24761, adopted on February 20, 2002, the City Administration and City Attorney's Office have worked with the Sunset Islands 3 & 4 Homeowners Association ("HOA") to proceed with the creation of a special assessment district to fund the placement underground of electrical, telephone, and cable television services (the "District"); and

WHEREAS, on February 8, 2012, the Mayor and City Commission adopted Resolution No. 2012-27842, which, among other things, approved and allowed the HOA to proceed with the election requirement imposed by the City Commission in or about 2002, which requires that, as a condition precedent to the final establishment of the proposed District, at least sixty percent (60%) of the benefited property owners within such District vote in favor of its establishment and of the levy of special assessments to fund the costs of the relocation underground of overhead utilities; and

WHEREAS, pursuant to Resolution No. 2012-27842, a special mail ballot election (the "Election") was held to determine whether at least 60% of the property owners approved the creation of the District; and

WHEREAS, 81% of property owners voted in favor of the proposed District; 96 votes were cast in favor of the creation of the District, 6 votes were cast in opposition to the creation of the District, 1 ballot was returned without a vote, and 15 ballots were not returned; and

WHEREAS, the special assessments levied within the proposed District, to be known as the "Sunset Islands 3 & 4 Utility Improvement District," shall be used to fund the placement underground of electrical, telephone, and cable television services (the "Improvements"); and

WHEREAS, the Mayor and City Commission hereby determine that it is in the best interest of the City, and of the District, to perform the Improvements and, as such, wish to defray the entire cost of the Improvements by levying special assessments upon the benefited properties within the District ("Assessments"); and

WHEREAS, the Mayor and City Commission further determine that special benefits shall accrue to the properties within the District from the Improvements, and that the Assessments shall be made in proportion to the benefits received, all as set forth in the preliminary assessment roll attached hereto and incorporated herein as Exhibit "A"; and

WHEREAS, the Mayor and City Commission have determined that the Assessments to be levied shall not exceed the special benefits to the affected properties within the District.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, THAT

SECTION 1: All findings and recitals contained in this Resolution are hereby adopted and incorporated herein.

SECTION 2: Pursuant to the provisions of Chapter 170, Florida Statutes, the Mayor and City Commission hereby authorize a special assessment to be levied and collected, and hereby create a special assessment district, to be known as the "Sunset Islands 3 & 4 Utility Improvement District," for a term of ten (10) years, for the purpose of relocating utilities, including the placement underground of electrical, telephone, and cable television services, pursuant to voluntary agreement with the respective utilities.

SECTION 3: The boundaries of the proposed District are as follows: All lots and lands adjoining and contiguous or bounding and abutting upon such improvements or specially benefited thereby and further designated by the Assessment Plat, attached hereto and incorporated herein as Exhibit "B."

SECTION 4: The total estimated cost of the Improvements to be funded by the proposed Assessments is approximately \$2,412,398.

SECTION 5: The Assessments shall be levied in accordance with the applicable provisions of Chapter 170, Florida Statutes, for the purposes of defraying the cost of the Improvements.

SECTION 6: At the time of adoption of the Resolution by the Mayor and City Commission, there shall be on file with the City Clerk the Assessment Plat, showing the area to be assessed; the plans and specifications for the Improvements; and an estimate of the cost of the Improvements, which documents shall be open to inspection by the public.

SECTION 7: Following approval of this Resolution, the City Administration is hereby authorized and directed to cause to be made a preliminary assessment roll, as promptly as possible, which shall show the properties assessed by folio number; the amount of benefit to each property; and the special assessments against each property assessed by folio number.

SECTION 8: Once the Mayor and City Commission adopt a resolution accepting the Improvements as complete, the assessment shall be payable either (a) in one lump sum or (b) in one installment per year for ten (10) years, either of which shall be payable to the Finance Director of the City, or the Finance Director's designee, on such date as shall be contained in a bill to be mailed to each property owner within the District at least thirty (30) days prior to the due date, and following the confirmation by the Mayor and City Commission of the Final Assessment Roll. Installments not paid when due shall become due and payable in accordance with statutory provisions and shall remain liens, coequal with the lien of all state, county, district, and municipal taxes, superior in dignity to all other liens, titles, and claims, until paid, and shall bear interest, at such rate or rates as specified in Section 170.09, Florida Statutes.

SECTION 9: Upon completion of the preliminary assessment roll, the Mayor and City Commission shall adopt a subsequent resolution to fix a time and place at which the owners of the property to be assessed or any other persons interested therein may appear before the Mayor and City Commission and be heard as to the propriety and advisability of levying the Assessments or making the Improvements, the costs thereof, the manner of payment therefor, or the amount thereof to be assessed against each lot so improved, all in accordance with Chapter 170, Florida Statutes.

SECTION 10: The City Clerk is hereby directed to cause this Resolution to be published one time in a newspaper of general circulation published in the City.

SECTION 11: The Resolution shall become effective upon the date of its adoption herein.

PASSED and ADOPTED this _____ day of _____, 2015.

ATTEST:

Rafael E. Granado
City Clerk

Philip Levine
Mayor

APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION



City Attorney

10-9-15

Date

NK

SUNSET ISLANDS 3 & 4

Total of 118 properties

EACH PROPERTY SHALL HAVE THE OPTION OF A ONE-TIME PAYMENT OF \$16,500.00, OR TEN (10) ANNUAL INSTALLMENT OF \$2,200.00.

NO	UnitFolio	Site Address	Site City	Site Zip
1	0232280011810	1825 W 24 ST	Miami Beach	33140-4530
2	0232280011860	2120 BAY AVE	Miami Beach	33140-4534
3	0232280011820	1821 W 24 ST	Miami Beach	33140-4530
4	0232270100360	1530 W 21 ST	Miami Beach	33140-4505
5	0232280011970	1541 W 22 ST	Miami Beach	33140-4510
6	0232280011600	1700 W 24 ST	Miami Beach	33140-4529
7	0232280011730	1826 W 23 ST	Miami Beach	33140-4521
8	0232280012200	1443 W 21 ST	Miami Beach	33140-4502
9	0232280011440	1501 W 24 ST	Miami Beach	33140-4524
10	0232270100160	2323 LAKE AVE	Miami Beach	33140-4539
11	0232280012110	1535 W 21 ST	Miami Beach	33140-4504
12	0232280012060	1616 W 22 ST	Miami Beach	33140-4513
13	0232270100230	2121 LAKE AVE	Miami Beach	33140-4538
14	0232270100400	1610 W 21 ST	Miami Beach	33140-4507
15	0232280011480	1405 W 24 ST	Miami Beach	33140-4522
16	0232280012120	2111 LUCERNE AVE	Miami Beach	33140-4541
17	0232280012180	2130 REGATTA AVE	Miami Beach	33140-4544
18	0232280011920	1649 W 22 ST	Miami Beach	33140-4512
19	0232280012070	2120 LUCERNE AVE	Miami Beach	33140-4542
20	0232280011651	2288 SUNSET DR	Miami Beach	33140-4546
21	0232270100320	1450 W 21 ST	Miami Beach	33140-4503
22	0232280011930	1645 W 22 ST	Miami Beach	33140-4512
23	0232280012010	1621 W 21 ST	Miami Beach	33140-4506
24	0232270100240	2111 LAKE AVE	Miami Beach	33140-4538
25	0232280011410	1611 W 24 ST	Miami Beach	33140-4526
26	0232280011880	2122 BAY AVE	Miami Beach	33140-4534
27	0232280011530	1440 W 23 ST	Miami Beach	33140-4515
28	0232270100260	2001 LAKE AVE	Miami Beach	33140-4555
29	0232280012080	1501 W 21 ST	Miami Beach	33140-4504
30	0232270100340	1500 W 21 ST	Miami Beach	33140-4505
31	0232280011680	1730 W 23 ST	Miami Beach	33140-4519
32	0232280011800	1833 W 24 ST	Miami Beach	33140-4530
33	0232270100250	2095 LAKE AVE	Miami Beach	33140-4555
34	0232280011500	1400 W 23 ST	Miami Beach	33140-4515
35	0232280011310	1531 W 23 ST	Miami Beach	33140-4516
36	0232280011360	1434 W 24 ST	Miami Beach	33140-4523
37	0232280012100	1525 W 21 ST	Miami Beach	33140-4504
38	0232280012170	1510 W 22 ST	Miami Beach	33140-4511
39	0232280011850	1727 W 24 ST	Miami Beach	33140-4528
40	0232270100410	1620 W 21 ST	Miami Beach	33140-4507
41	0232280011430	1525 W 24 ST	Miami Beach	33140-4524
42	0232270100190	2301 LAKE AVE	Miami Beach	33140-4539

SUNSET ISLANDS 3 & 4

Total of 118 properties

EACH PROPERTY SHALL HAVE THE OPTION OF A ONE-TIME PAYMENT OF \$16,500.00, OR TEN (10) ANNUAL INSTALLMENT OF \$2,200.00.

NO	UnitFolio	Site Address	Site City	Site Zip
43	0232280012290	1401 W 22 ST	Miami Beach	33140-4508
44	0232280011710	1800 W 23 ST	Miami Beach	33140-4521
45	0232280011630	1830 W 24 ST	Miami Beach	33140-4531
46	0232280011370	1410 W 24 ST	Miami Beach	33140-4523
47	0232280012230	2121 REGATTA AVE	Miami Beach	33140-4543
48	0232270100220	2125 LAKE AVE	Miami Beach	33140-4538
49	0232280011540	1500 W 23 ST	Miami Beach	33140-4517
50	0232270100140	2345 LAKE AVE	Miami Beach	33140-4539
51	0232280011640	1800 W 24 ST	Miami Beach	33140-4531
52	0232280011750	1844 W 23 ST	Miami Beach	33140-4521
53	0232280012150	1530 W 22 ST	Miami Beach	33140-4511
54	0232270100170	2315 LAKE AVE	Miami Beach	33140-4539
55	0232280012090	1515 W 21 ST	Miami Beach	33140-4504
56	0232280012000	2110 LUCERNE AVE	Miami Beach	33140-4542
57	0232280012160	1520 W 22 ST	Miami Beach	33140-4511
58	0232270100390	1600 W 21 ST	Miami Beach	33140-4507
59	0232280011450	1441 W 24 ST	Miami Beach	33140-4522
60	0232270100430	1630 W 21 ST	Miami Beach	33140-4507
61	0232280011620	1831 W 23 ST	Miami Beach	33140-4520
62	0232270100210	2131 LAKE AVE	Miami Beach	33140-4538
63	0232270100310	1440 W 21 ST	Miami Beach	33140-4503
64	0232280012040	2131 BAY AVE	Miami Beach	33140-4533
65	0232270100300	1430 W 21 ST	Miami Beach	33140-4503
66	0232280012210	2111 REGATTA AVE	Miami Beach	33140-4543
67	0232280012140	2121 LUCERNE AVE	Miami Beach	33140-4541
68	0232280011470	1415 W 24 ST	Miami Beach	33140-4522
69	0232270100330	1460 W 21 ST	Miami Beach	33140-4503
70	0232280011330	1500 W 24 ST	Miami Beach	33140-4525
71	0232280011380	2300 LAKE AVE	Miami Beach	33140-4540
72	0232280012240	1420 W 22 ST	Miami Beach	33140-4509
73	0232280012280	1431 W 22 ST	Miami Beach	33140-4508
74	0232280012270	1433 W 22 ST	Miami Beach	33140-4508
75	0232280011510	1420 W 23 ST	Miami Beach	33140-4515
76	0232280011960	1617 W 22 ST	Miami Beach	33140-4512
77	0232280011715	1818 W 23 ST	Miami Beach	33140-4521
78	0232280012220	2120 SUNSET DR	Miami Beach	33140-4562
79	0232280011610	2300 SUNSET DR	Miami Beach	33140-4548
80	0232280011460	1431 W 24 ST	Miami Beach	33140-4522
81	0232280012190	1401 W 21 ST	Miami Beach	33140-4502
82	0232280011830	1775 W 24 ST	Miami Beach	33140-4528
83	0232280012050	1630 W 22 ST	Miami Beach	33140-4513
84	0232280011690	1750 W 23 ST	Miami Beach	33140-4519

SUNSET ISLANDS 3 & 4

Total of 118 properties

EACH PROPERTY SHALL HAVE THE OPTION OF A ONE-TIME PAYMENT OF \$16,500.00, OR TEN (10) ANNUAL INSTALLMENT OF \$2,200.00.

NO	UnitFolio	Site Address	Site City	Site Zip
85	0232270100280	1410 W 21 ST	Miami Beach	33140-4503
86	0232280011740	1836 W 23 ST	Miami Beach	33140-4521
87	0232280011910	2142 BAY AVE	Miami Beach	33140-4534
88	0232270100150	2335 LAKE AVE	Miami Beach	33140-4539
89	0232280011400	1621 W 24 ST	Miami Beach	33140-4526
90	0232280011340	1505 W 23 ST	Miami Beach	33140-4516
91	0232280011580	1745 W 23 ST	Miami Beach	33140-4518
92	0232280011780	2324 BAY AVE	Miami Beach	33140-4535
93	0232280011550	1510 W 23 ST	Miami Beach	33140-4517
94	0232280011890	2130 BAY AVE	Miami Beach	33140-4534
95	0232270100290	1420 W 21 ST	Miami Beach	33140-4503
96	0232280011320	1530 W 24 ST	Miami Beach	33140-4525
97	0232280011590	1750 W 24 ST	Miami Beach	33140-4529
98	0232280011420	1601 W 24 ST	Miami Beach	33140-4526
99	0232280011350	1441 W 23 ST	Miami Beach	33140-4514
100	0232280011300	1600 W 24 ST	Miami Beach	33140-4527
101	0232280011990	1515 W 22 ST	Miami Beach	33140-4510
102	0232280011770	2312 BAY AVE	Miami Beach	33140-4535
103	0232280011790	1839 W 24 ST	Miami Beach	33140-4530
104	0232280011840	1745 W 24 ST	Miami Beach	33140-4528
105	0232280011940	1635 W 22 ST	Miami Beach	33140-4512
106	0232280011980	1531 W 22 ST	Miami Beach	33140-4510
107	0232270100350	1520 W 21 ST	Miami Beach	33140-4505
108	0232270100370	1540 W 21 ST	Miami Beach	33140-4505
109	0232280011900	2138 BAY AVE	Miami Beach	33140-4534
110	0232280012260	2201 SUNSET DR	Miami Beach	33140-4545
111	0232270100200	2135 LAKE AVE	Miami Beach	33140-4538
112	0232280011560	2277 SUNSET DR	Miami Beach	33140-4545
113	0232280011290	2301 SUNSET DR	Miami Beach	33140-4547
114	0232270100380	1550 W 21 ST	Miami Beach	33140-4505
115	0232280011390	1717 W 24 ST	Miami Beach	33140-4528
116	0232280011660	1710 W 23 ST	Miami Beach	33140-4519
117	0232270100180	2305 LAKE AVE	Miami Beach	33140-0000
118	0232280011760	2300 BAY AVE	Miami Beach	33140-4535

SUNSET ISLAND 1

Exhibit B

SUNSET ISLAND 2

SUNSET ISLAND 3

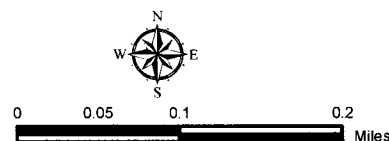
SUNSET ISLAND 4

BELLE ISLE

Sources: Esri, HERE, DeLorme, USGS, Intermap, increment P Corp., NRCAN, Esri Japan, METI, Esri China (Hong Kong), Esri (Thailand), TomTom, MapmyIndia, © OpenStreetMap contributors, and the GIS User Community

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City of Miami Beach
Sunset Islands 3 & 4



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EXHIBIT B

CITY CENTER CRA REVENUE PROJECTION

Notes: Schedule does not include capital transfers for FY 2012/13 after which available balance is 0

Includes 2014 Preliminary Tax Roll DR420 and 2015 Estimate

Includes FY 2015-16 millage and new millage projections

Future Payments do not account for prior year roll adjustments (except FY 2014/15)

Extension of current life until FY 2043-44

New Bond of NTE \$430M at 5.5% for 29 years - first payment in FY 2015/16 and last in FY 2043/44

CRA Operating Expenses increase at the lesser of CPI or 3% (except FY 2014/15 @ 1.5%)

Reimbursement of Bass Museum and Lincoln Road debt in 2015 & 2016

Convention Center Operating Subsidy increased at the lesser of CPI or 4% for 2026 and forward

Roll Year	FY	Pre Tax Roll	Roll Growth	Base Year	Increment	County Millage	City Millage	County Revenue	City Revenue	Total TIF Rev	Current Debt Service	Convention Center Operating Subsidy	New Debt Service	CRA Operating Expenses	Year End Rebate of County Share of Operating Costs	County Admin Fee 1.5%	Contribution to CMB 1.5%	Remaining Funding	Cumulative Sinking Fund for Debt Retirement
BASE YEAR 1992																			
2004	2005	1,633,198,959	8.98%	292,572,271	1,340,826,688	5.9350	7.4250	7,235,626	9,456,445	16,692,071									
2005	2006	2,270,499,203	39.02%	292,572,271	1,977,926,932	5.8350	7.4810	10,562,763	14,057,028	24,619,791									
2006	2007	3,003,565,939	32.29%	292,572,271	2,710,993,668	5.6150	7.3740	14,452,835	19,980,961	34,433,796									
2007	2008	3,585,310,480	19.37%	292,572,271	3,292,738,209	4.5796	5.6555	13,956,936	17,218,505	31,175,441									
2008	2009	3,707,103,133	3.40%	292,572,271	3,414,530,862	4.8379	5.6555	14,846,467	17,233,346	32,079,813									
2009	2010	3,446,724,524	-7.02%	292,572,271	3,154,152,253	4.8379	5.6555	14,846,467	15,767,520	30,264,020									
2010	2011	3,404,963,718	-1.21%	292,572,271	3,112,391,447	5.4275	6.2155	14,785,485	16,902,090	31,687,585	9,956,253								
2011	2012	3,423,353,944	0.54%	292,572,271	3,130,781,673	4.8050	6.1655	12,924,079	17,337,693	30,261,772	9,956,253								
2012	2013	3,608,719,451	5.41%	292,572,271	3,316,146,180	4.7035	6.0909	13,184,224	18,188,399	31,372,623	9,956,253								
2013	2014	3,871,409,731	7.28%	292,572,271	3,578,837,460	4.7035	5.8634	15,917,409	19,840,948	35,758,357	9,956,253								
2014	2015	4,180,153,326	7.97%	292,572,271	3,887,581,055	4.6669	5.7942	16,177,560	20,018,151	36,195,711	9,812,000								
2015	2016	4,821,643,185	15.35%	292,572,271	4,529,070,914	4.6669	5.7092	20,079,885	24,564,503	44,644,388	1,322,000								
2016	2017	5,062,725,344	5.00%	292,572,271	4,770,153,073	4.6669	5.7092	21,148,736	26,872,070	47,020,806									
2017	2018	5,315,861,768	5.00%	292,572,271	5,023,289,340	4.6669	5.7092	22,271,035	27,245,015	49,516,045									
2018	2019	5,501,916,768	3.50%	292,572,271	5,209,344,497	4.6669	5.7092	23,095,910	28,254,130	51,350,045									
2019	2020	5,684,483,855	3.50%	292,572,271	5,401,911,584	4.6669	5.7092	23,949,672	29,298,564	53,248,236									
2020	2021	5,893,780,790	3.50%	292,572,271	5,601,218,519	4.6669	5.7092	24,833,310	30,378,553	55,212,863									
2021	2022	6,100,073,467	3.50%	292,572,271	5,807,501,196	4.6669	5.7092	25,747,876	31,498,377	57,246,253									
2022	2023	6,313,576,039	3.50%	292,572,271	6,021,003,768	4.6669	5.7092	26,694,451	32,656,359	59,350,810									
2023	2024	6,534,551,200	3.50%	292,572,271	6,241,978,929	4.6669	5.7092	27,674,157	33,854,871	61,529,028									
2024	2025	6,763,260,492	3.50%	292,572,271	6,470,688,221	4.6669	5.7092	28,688,152	35,095,331	63,783,483									
2025	2026	6,999,974,609	3.50%	292,572,271	6,707,402,338	4.6669	5.7092	29,737,637	36,379,206	66,116,844									
2026	2027	7,244,973,721	3.50%	292,572,271	6,952,401,450	4.6669	5.7092	30,823,854	37,708,018	68,531,872									
2027	2028	7,498,547,801	3.50%	292,572,271	7,205,975,530	4.6669	5.7092	31,948,089	39,083,338	71,031,427									
2028	2029	7,760,995,974	3.50%	292,572,271	7,468,424,703	4.6669	5.7092	33,111,672	40,506,794	73,618,465									
2029	2030	8,032,631,868	3.50%	292,572,271	7,740,059,597	4.6669	5.7092	34,315,980	41,980,071	76,296,051									
2030	2031	8,313,773,983	3.50%	292,572,271	8,021,201,712	4.6669	5.7092	35,562,439	43,504,913	79,067,352									
2031	2032	8,604,758,073	3.50%	292,572,271	8,312,183,802	4.6669	5.7092	36,852,524	45,083,124	81,935,648									
2032	2033	8,905,922,535	3.50%	292,572,271	8,613,350,264	4.6669	5.7092	38,187,762	46,716,572	84,904,334									
2033	2034	9,217,628,824	3.50%	292,572,271	8,925,057,553	4.6669	5.7092	39,569,734	48,407,192	87,976,925									
2034	2035	9,540,248,868	3.50%	292,572,271	9,247,674,597	4.6669	5.7092	41,000,074	50,156,983	91,157,057									
2035	2036	9,874,155,508	3.50%	292,572,271	9,561,583,237	4.6669	5.7092	42,480,476	51,968,016	94,448,493									
2036	2037	10,219,750,951	3.50%	292,572,271	9,927,178,680	4.6669	5.7092	44,012,693	53,842,436	97,855,129									
2037	2038	10,577,442,234	3.50%	292,572,271	10,284,869,963	4.6669	5.7092	45,598,537	55,782,461	101,380,997									
2038	2039	10,947,652,712	3.50%	292,572,271	10,655,080,441	4.6669	5.7092	47,239,885	57,790,386	105,030,271									
2039	2040	11,330,248,286	3.50%	292,572,271	11,038,248,286	4.6669	5.7092	48,938,681	59,868,589	108,807,270									
2040	2041	11,727,399,277	3.50%	292,572,271	11,434,827,006	4.6669	5.7092	50,696,934	62,019,529	112,716,463									
2041	2042	12,137,858,252	3.50%	292,572,271	11,845,285,981	4.6669	5.7092	52,595,727	64,245,712	116,841,439									
2042	2043	12,562,883,290	3.50%	292,572,271	12,270,111,019	4.6669	5.7092	54,600,212	66,548,892	120,950,104									
2043	2044	13,002,377,206	3.50%	292,572,271	12,709,804,935	4.6669	5.7092	56,349,619	68,934,677	125,284,297									

**FY 2013-14 and prior payments are actual payments

***Payments after FY 2013-14 do not include adjustments for previous year final tax rolls

FY 2013-14 City Center Operating Budget Expenses	
Administration	1,961,000
Community Policing	4,195,000
Capital Projects Maintenance	5,095,000
Transfer to Penn Garage	not included
Total	11,251,000

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